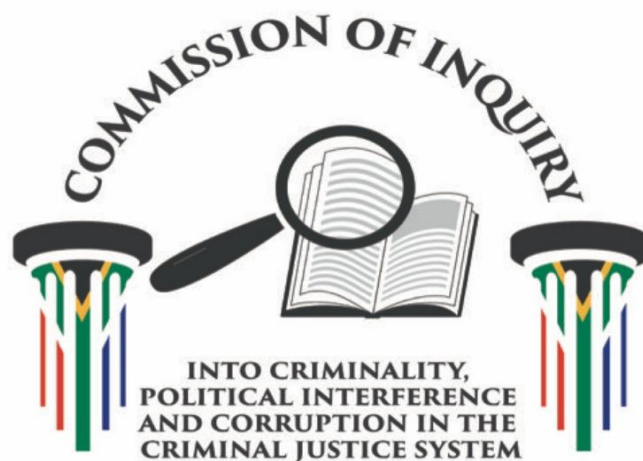


JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY,
POLITICAL INTERFERENCE AND CORRUPTION IN THE
CRIMINAL JUSTICE SYSTEM

HELD AT
BRIGITTE MABANDLA JUSTICE COLLEGE

5 AUGUST 2026

DAY 154



PROCEEDINGS HELD ON 30 JULY 2026

CHAIRPERSON: Good morning, Ms Segeels-Ncube.

ADV SEGEELS-NCUBE: Good morning, Chair.

CHAIRPERSON: Good morning, Mr Ramatsekisa.

ADV RAMATSEKISA: Good morning, Chair and the Commissioners.

CHAIRPERSON: And good morning, Ms Ramsamy. Thank you.

ADV SEGEELS-NCUBE: Thank you, Chair. Chair, before
10 ...[intervenes].

CHAIRPERSON: You are still under your former oath.

MS RAMSAMY: Thank you.

CHAIRPERSON: Thank you.

DRUSHANTHA RAMSAMY: (still under oath)

ADV SEGEELS-NCUBE: Chair, before Ms Ramsamy
begins part two of her evidence, there are three preliminary
issues that we want to address. The first is, insofar as
documentation is concerned, there are still some documents
that need to be included in the bundle, but that comes later
20 on in her evidence, and we will supplement the bundles
either during the tea adjournment or at lunch. It is just that
certain requirements had to be met in order for us to have
access to those documents.

And then the second thing is that the witness wants
to address the Commission on her demeanour as a witness,

which she feels it is important to just explain some of her expressions for purposes. Just to give context, she feels that it is an important aspect. I think she has looked at what the comments have been on social media, and she really wants the Commission to just hear her out on that.

And then the third aspect is that Chair will recall that the witness had started her evidence regarding why she thought the why me question, why she was chosen to... Why she thinks she was chosen to work on the project
 10 Diversion Matters, and she started her evidence from the first section 27 that she had been involved in. She wants to go back in time from the time that she actually started at IDAC, because she thinks there is some important context there that will explain why she was even chosen and the circumstances within which she was chosen even for the first section 27 matter that she was involved in. So those are the preliminary matters, Chair.

CHAIRPERSON: Thank you. I am being overruled, but I do not, personally, I do not think it is necessary for Ms
 20 Ramsamy to... I thought I said so. What did I say?

ADV SEGEELS-NCUBE: Johnson.

CHAIRPERSON: I did not even hear myself. Apologies, Ms Ramsamy.

MS RAMSAMY: Thank you, Chair.

CHAIRPERSON: Personally, I do not think it is necessary

for you to explain yourself. I am not on social media, but people do share what is out there with me. Sometimes I will be curious and scroll down and not look only at what was sent to me and sometimes I will see nasty things said about me. I do not care. If you were to care about those all the time, you would go mad. So, personally, I honestly do not think you need to explain yourself. But my co-Commissioners feel otherwise, so I will let you do that.

MS RAMSAMY: Thank you, Chair.

10 **CHAIRPERSON**: Thank you.

MS RAMSAMY: Thank you, Commissioners. With regards to the demeanour, I have reached a point emotionally where I would rather laugh or smile at the circumstances, as serious as it is, than cry, and I do not want to seem like I am a victim by crying while I am trying to assist the Commission in their findings. So, I do ask for understanding that it has been a very tough road and I am choosing not to be emotional. So, if I do smile or if I do laugh under certain serious topics, please forgive me.

20 **ADV SEGEELS-NCUBE**: I do not think it is the Commission's forgiveness that you are seeking, but...

CHAIRPERSON: You see?

MS RAMSAMY: To the public at large. It also, it came across, or the comments were that I was being vindictive and I was enjoying the downfall. I was not. When I speak

about certain things, I remember the circumstances in which, and I will explain that aspect and what was done and what was said and how it was said. And so, I try to rather laugh about it than cry about it.

CHAIRPERSON: What I will say to you is that with comments on social media, my sense is that you can never win. Even where preponderantly comments are positive, there will be the few negative comments. If you let those get to you, then you are in trouble.

10 **MS RAMSAMY:** I think it was more the response of the office I have to return to.

CHAIRPERSON: The office.

MS RAMSAMY: The office.

CHAIRPERSON: I think Ms Segeels-Ncube mentioned social media.

MS RAMSAMY: It is both. It is both, but I mean, obviously, they are also reading it and I am getting messages from the office.

CHAIRPERSON: So, I assume, asking for, what did you
20 say, pardon? No, I am not sure of the word you used.

MS RAMSAMY: Forgiveness.

CHAIRPERSON: Forgiveness. I am not sure that that is directed to us because I do not think there is anything to forgive. Ja, I see my colleagues nodding. So, from where we are sitting, we see you have not done anything wrong.

MS RAMSAMY: Thank you. Thank you, Chair. Thank you, Commissioners.

CHAIRPERSON: Those who may be of the view that you did wrong, they do hear you. I hope they will forgive you.

MS RAMSAMY: Thank you, Chair.

CHAIRPERSON: Thank you.

ADV SEGEELS-NCUBE: Thank you, Chair. And then the second aspect, the third aspect, regarding the why me question. You wanted to elaborate and go back in time
10 earlier than the first section 27(1).

MS RAMSAMY: Correct. Chair, Commissioners, I started at IDAC when it was still ID on the 1st of March 2023. I did indicate that I was given alphabet soup in the sense that we were short-staffed and I was given a lot of projects. By the end of April, I was in the process of finalising two investigations and drafting charge sheets, et cetera, for two matters in under eight weeks or seven weeks. And after speaking to my former DDPP, he reminded me that, or his words were, once you start showing your grit, Mr Perumal's
20 team, the Eastern Cape team, had approached Advocate Johnson and asked that I now join their team as a prosecutor.

CHAIRPERSON: And why is it called the Eastern Cape team?

MS RAMSAMY: When I started, they were still under

secondment and they were being housed in a DPP's office in Eastern Cape. They were not permanently based in Pretoria. They are still not permanently based in Pretoria. They still do travel. So we referred to them, or they were referred to as the Eastern Cape team. There was a prosecutor that was dealing with all their matters and it was 13 matters that had been placed on the roll already.

When I got the SMS or the WhatsApp, it was not from Advocate Johnson directly. It was from the senior
10 State Advocate on those matters, who had informed me it is an instruction of the ID that you are now placed on this team in these matters. I had approached my Deputy Director, and I had asked him, but now you are adding, I have already got seven cases that are mine that I now need to work on, and I am being added to matters that are already on the court roll that I have to play catch up, and I was told it is the ID's instructions.

And I must be honest, when I started working with the Eastern Cape team, you knew, you are still learning
20 personalities, and I did find them to be competent. There is a saying in our office that Mr Perumal can sell you sugar from your own tea. He is very articulate. He would make you believe that this is going in this direction. So I did, I did trust the team in ...[intervenes].

CHAIRPERSON: So in the Eastern Cape team, as you call

it, it was Mr Perumal and who else?

MS RAMSAMY: It is Mr Perumal, it is Mr – I will give you the composition from 2023. It is Mr Perumal, who is the leader, it is Mr Bellochun, Mr Mbalo, Mr Mazibokwana, and there was a Warrant Officer Williams, but he has recently been boarded off or retired, something to that effect. So it was that, and then it was the senior State Advocate.

ADV BALOYI SC: Did they not have their own DDP, DDPP?

10 **MS RAMSAMY**: I alluded to it, but I will address it now. When it came to that team, they would even bypass the DDPP. They would go directly to Advocate Johnson with everything, even authorisations, lack of authorisations, enrolment documents, et cetera.

ADV BALOYI SC: I hear that, that is how they behaved. But structurally ...[intervenes].

MS RAMSAMY: Yes, Advocate Louw was our DDPP for the security cluster ...[intervenes].

ADV BALOYI SC: So ...[indistinct].

20 **MS RAMSAMY**: Correct.

ADV BALOYI SC: He was their DDPP?

MS RAMSAMY: Correct.

ADV BALOYI SC: Okay, thank you.

CHAIRPERSON: And not based in the Eastern Cape?

MS RAMSAMY: No, we were based in Pretoria. And then I

had various interactions with Advocate Johnson based on my previous testimony with regards to the addendum, rather than doing a brand new 28. I had informed the Commission about my approach on the second matter where I was in the process of drafting the charge sheet.

So when I was called in July for the first, July 2023, for the first section 27 referral that I make reference to and how it was done in my first statement, it was myself and another State Advocate who started on the same day as me.

10 We both started on the 1st of March 2023, and he also, he is a very good prosecutor. We were spoken about in management meetings about the work, the input, the hard work that we were doing at that time.

It is in July 2023 that I realised that if I may just quote, when Captain McClean found out that I was going to be working with Advocate Johnson so closely and with the Eastern Cape team, because he had previously worked with them and because I was working on multiple matters with him, he called me aside and he spoke. We had coffee and

20 he said to me, you are naïve, and I agreed.

I was new to the environment. IDAC was very new to me. I was coming from the Regional Courts. This was a specialised unit that had its own set of rules. And he said to me if you do not be careful, if you do not ensure that you document and you, they will ruin your career. And so, in a

way, it opened my eyes to observing more than believing, but I believe that because in 2023 in July, when we received the first 27, the only other one that I dealt with, I had the support of Binang Temane, or Temane Binang and Mantsha Raphesu.

So, whenever Mr Perumal tried to deviate or tried to, what is the word that Mr Raphesu used, run tricks, the three of us backed each other to ensure that the investigation was in line and lawful. So, when I spoke
10 about being chosen for this Diversion Project, in hindsight, now that I have looked at all the evidence and I have replayed conversations between myself and Advocate Johnson as well as Mr Perumal, I am of the opinion that they were attempting to groom me into a prosecutor that would follow that line of march.

ADV SEGEELS-NCUBE: And when you say that line of march, what do you mean?

MS RAMSAMY: Do as you are told, but prosecute with the skill that you have.

20 **ADV SEGEELS-NCUBE:** Okay. So basically, Mr Perumal would be calling the shots and you must just do the prosecutorial aspect of it. Utilise your skill, but do not ask questions.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay.

MS RAMSAMY: That is, in hindsight, that is how I am sitting back and looking at it. And I will elaborate on why I say this and the things that were said to me towards February 2025 when we start with my statements.

ADV BALOYI SC: You referred to Mr Binang and Mr Raphesu, so they were part of the Perumal team that you are now being roped into?

MS RAMSAMY: No. One of the bones of contention in 2023 already was that when Advocate Johnson compiled the
10 team for the 27 in 2023, she had completely excluded Mr Perumal's team members, or the subordinates, and she had handpicked Mr Raphesu and Mr Binang. At that point, they were reporting to Mr Roelofse, or Colonel Roelofse.

They later started reporting to Mr Perumal and then once they started in July 2020 – well, let me put it this way, in August/September 2023, when Mr Binang and Mr Raphesu started objecting to the trickery of Mr Perumal – I am quoting the word – and the shortcuts in investigations and trying to create a narrative during an investigation, it
20 was then in 2023 that Mr Binang was victimised by Advocate Johnson and Mr Perumal. And then when diversion happened, Mr Mlambo and Mr Raphesu were victimised by Mr Perumal when questions were being asked.

ADV BALOYI SC: Mr McClean, when he spoke to you, he must have said why. Did he say why he says to you be

careful, they will ruin your career, you are being naive?

MS RAMSAMY: He did not go into great detail. He just said that they are dangerous people and they do not follow the rules. I am paraphrasing.

ADV BALOYI SC: He did not speak to anything in particular that was happening in the environment that makes him say they are dangerous people, you have to be careful, they will ruin your career if you are not careful?

MS RAMSAMY: Am I allowed to not answer that?

10 **ADV BALOYI SC**: Well, I guess of interest and relevance to us, or at least to me, is how far back do the problems, the kind of things we are looking at now, even if not specific to these facts, but is there an institutional problem? This about Crime Intelligence and General Masemola, are these isolated, a new development when IDAC has been playing by the rules and doing everything right by the book until recently, November 2024, leading to now? So the warning from Mr McClean seems to suggest that there were concerns already by the time you joined.

20 **MS RAMSAMY**: Confirm, and I did make mention of it in my first statement. I am trying to be diplomatic about this. There are problems ...[intervenes].

ADV BALOYI SC: I am happy to park it. I am going to make a note, I would like to come back to give you the chance to reflect on how you want to deal with it.

MS RAMSAMY: I can answer it now, Commissioner.

ADV BALOYI SC: You are happy to do that?

MS RAMSAMY: I will answer it now.

ADV BALOYI SC: Okay.

MS RAMSAMY: I have done numerous memos about the poor investigation, the targeting, the irregular activities of the Eastern Cape team and the matters that they have enrolled in IDAC. I also said to the Commissioners last week that recently when I fought to receive the actual
10 docket, I found myself and my co-prosecutor, we found documentation hidden in the C-clip that actually exonerated the accused and we did a memo for the charges to be withdrawn in totality.

I have also alerted Advocate Johnson in writing to the fact that multiple matters that are enrolled by Mr Perumal's team within the IDAC space under Advocate Johnson's control from 2022 do not have the proper authorisation.

ADV BALOYI SC: All right, thank you. I will leave it for
20 now.

ADV SEGEELS-NCUBE: Ms Ramsamy, Mr Perumal and Mr Bellochun, they were there before Advocate Johnson's appointment?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. So she found them there?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay.

CHAIRPERSON: Your realisation that what was required of you was a pliable or a malleable prosecutor, was that as a result of the caution by Mr McClean or was it your own realisation?

MS RAMSAMY: Captain McClean gave me the warning in April/May 2023. I chose to accept the warning and proceed with caution, but to also make up my own mind. Towards
10 January, the end of January 2025, I did alert the Commissioners to my instincts kicked in and my gut was not sitting well. I was very uneasy about the events of December, but in January 2025 I came to the conclusion that I was just a puppet.

In the 27 referral from 2023, after the prosecutor, the other State Advocate was removed and the Deputy Director came on board, he provided firm, a very firm hand to the investigations and the manner in which the investigation was conducted, to a point where Mr Perumal
20 would remind Mr Binang and Mr Raphesu that he is their commander.

So the fact that I had strong support in the form of a senior, that is why I was not completely alerted to what was happening at that point. I must also make it very clear that when I did stand up to Mr Perumal about that 27

referral, and I cannot speak to the aspect that I spoke or that stood up about because it is *sub judice*, Advocate Johnson sent me an email and instructed me that I had to reply to office gossip in the form of a memo and preceding that meeting where myself and Mr Binang informed Advocate Johnson of the problems that Mr Perumal, or the wrongdoings that Mr Perumal was attempting to proceed with.

That is what I spoke about where I was made
10 redundant for nine months. I was insulted by Advocate Johnson in open meetings. I was basically told to – her words to me were, well, you will have to prove yourself to me now after this, Dru.

CHAIRPERSON: All right, thank you.

ADV SEGEELS-NCUBE: Thank you, Chair.

MS RAMSAMY: Sorry, one last aspect.

ADV SEGEELS-NCUBE: Yes.

MS RAMSAMY: Sorry. Actually, it is two. When Advocate Johnson called me into the meeting to hand me the Fadiel
20 Adams referral, one of the first things, because she sensed that I was standing and I did not speak, I just said, morning Mama, and I stood, and she said, no, sit, sit, sit I just want to talk to you. I want to tell you. You and I, we were played We were played against each other by Binang. So, that was what I was told on the 5th of December, after being

redundant for nine months.

The second thing, Advocate Ncube, Commissioners, I do ask permission from Advocate Ncube if I may proceed when I deviate. There is a lot in my head and sometimes it is not relevant. So, I have asked for that level of control because I tend to talk a lot.

CHAIRPERSON: Okay, can I just quickly come in on something you touched on? You mentioned your serious disagreement with Mr Perumal about the 2023 section 27
10 referral, and you mentioned that you do not want to talk about it because it was *sub judice*. You do touch on that in your statement as well.

But what I want to know, I am not going to ask you about the detail of it, as you say you are reluctant about mentioning it in any detail, but what I want to know is, is there a criminal charge? Surely the *sub judice* rule cannot apply to the extent of not even being able to say yes or no. Is there a criminal charge? If so, laid by whom against whom? That is it, I am not asking any further questions.

20 **MS RAMSAMY**: A criminal charge with regards to the 27 referral?

CHAIRPERSON: What you say is *sub judice* both now and also in your statement, and which you say both now and in your statement, you do not want to talk about. That is what I am asking you about.

MS RAMSAMY: Yes, the matter is in court.

CHAIRPERSON: It is in court?

MS RAMSAMY: It is in court.

CHAIRPERSON: Okay, all right. Thank you.

ADV SEGEELS-NCUBE: Thank you, Chair.

ADV BALOYI SC: Sorry. Before you start, you have mentioned it again now, but when you testified the last time, you did mention the fact of your being made redundant.

MS RAMSAMY: Correct.

10 **ADV BALOYI SC:** Can you just explain how that – what in fact happened? I am not asking you for the reason for being made redundant, but you are still on the job. What does it mean? Does it mean you sit in a corner, you are not involved in matters, or you were told to go home until we call you? How has it manifested?

MS RAMSAMY: I will speak of both, 2023, 2024 and this year. In 2023/24 I was not given any new projects to work on. I was only allowed to work on the court matters that emanate from, that were already in court. The senior
20 advocate that had placed those matters in court, I had to assist him. I was basically an assistant.

Then this year, matters that I had been working on for three years, in February, I am forced to finalise consultation with all my witnesses within two months and provide a detailed report in preparation for trial, only to be

told that I am no longer on the matter. Matters I was removed from in 2024, I am now being put back on those matters when they are already set down for trial. It was a matter of just frustrating me. I was a little pawn that was being told, you go here, you go there, but there was no actual work that I was supposed to do.

ADV BALOYI SC: And according to you, what was the reason for you being treated this way that rendered you redundant? What were you said or what did you understand
10 to be said you have done wrong?

MS RAMSAMY: There was a meeting in February this year, and Advocate Johnson asked the project manager to record it and give it to me. Because of the nature and the factors, I have not provided it. In that meeting, Advocate Johnson alerts my colleagues to the fact that she does not trust me anymore and that I am going around telling people that Johnson gives me these big projects, you cannot touch me. I do, and eventually did find out who took that to her, and it was not in the context that I said it.

20 I had gone to my Deputy Director and said, I do not know why Advocate Johnson is giving me these matters, because I cannot work with that team, I cannot, and that was after an incident that I will discuss, and only the first portion was taken to her. But also, at that point I was really frustrated with everything and the manner in which that

Project Diversion was, so I was being blatantly frustrated and I was hoping to be moved out of the project.

ADV BALOYI SC: Thank you, thank you.

ADV SEGEELS-NCUBE: Thank you. Thank you, Commissioners. Okay, so now let us start with your statement, part 2.

MS RAMSAMY: On paragraph 1?

ADV SEGEELS-NCUBE: Yes, we can start with paragraph 1.

10 **MS RAMSAMY:**

“This is part 2 of my statement dealing with specific investigations undertaken by IDAC during 2024 and 2025. In this statement, I will deal with the events that transpired from the 6th of January 2025 after Mr Perumal and Mr Raphesu and I consulted with Mr Adams in Cape Town on the 6th of January 2025. As stated in my first statement, the four
20 supplementary affidavits obtained from Mr Adams and commissioned by Mr Raphesu are the only statements that I am aware of that Mr Adams deposed to on that day.”

ADV SEGEELS-NCUBE: The events of January 2025?

MS RAMSAMY:

“In fact, on 6 January 2025, after consulting with Mr Adams, I sent Advocate Johnson a WhatsApp message...” ...[intervenes].

ADV SEGEELS-NCUBE: Can you just pause there? I think it is better if we just flight the WhatsApp message. Commissioners, that is in File 10, page 215. Are you at 215?

10 **MS RAMSAMY:** Yep:

“Evening, Advocate Johnson. Apologies for afterhours text. Update on diversion. All supplementary affidavits obtained. Mapping of investigation plan complete. We will provide a written report for your office on the plan as soon as we return. May 2025 be blessed, success, good health and happiness.”

ADV SEGEELS-NCUBE: And can I just ask you, you
20 mentioned a written report to your office on the plan as soon as we return. Was that written report ever submitted?

MS RAMSAMY: No, it was not because events took place on the 16th of January that required a different approach.

ADV SEGEELS-NCUBE: And what would that report have entailed? What would you have included in there?

MS RAMSAMY: It would have been the discussions of the fact that Mr Adams had provided no further information to us and that although he had not provided further information on the 19th of December, after viewing the documents, we had identified possible witnesses to consult with to determine whether there was in fact a reason to proceed.

ADV SEGEELS-NCUBE: Okay. So, the report is not submitted, but you sent this WhatsApp to Advocate Johnson after you consulted with Mr Adams and you referenced the
10 supplementary affidavits, and that would be the four supplementary affidavits.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: The next event that then occurs is the 13th of January 2025 on page 2, paragraph 4 of your statement.

MS RAMSAMY: I just need to finish reading paragraph 3.

ADV SEGEELS-NCUBE: Because you have read the WhatsApp into the record, it is the same. It is a repetition, yes.

20 **MS RAMSAMY:** Thank you,

ADV SEGEELS-NCUBE: Yes.

MS RAMSAMY:

“On the 13th of January 2025, Mr Perumal requested a meeting with Mr Raphesu and me regarding a consultation that Mr

Perumal had with a potential witness,
which had not previously been disclosed
to us. I was upset..." ...[intervenes].

CHAIRPERSON: Sorry, sorry. Throughout the statement,
you mentioned this witness, witness, and not once do you
mention the name. Is there a particular reason for this?

MS RAMSAMY: Part of the reason that I am not
mentioning their names is that they are within the Crime
Intelligence Unit of SAPS. It is a danger factor to mention
10 their names.

CHAIRPERSON: All right, please continue.

MS RAMSAMY:

"I was upset that a consultation was held
with a witness without my knowledge
because in my docket report on the 10th
of December 2024, I had specifically
stated that the prosecutor must be
informed before any interview
consultation takes place with any person
20 relating to the matter. Given my
uneasiness about this matter, I wanted to
make sure that Mr Perumal was not
embarking on a frolic of his own and
potentially influencing or compromising
witnesses. The instruction was directed

at Mr Perumal and Mr Padayachee and
not Mr Raphesu.”

ADV BALOYI SC: Before you get to the next paragraph, you have a DDPP for this team, Mr Louw, and you have these concerns as you express in paragraph 4, but we know from your evidence that it is more than that. How come you are not involving him in addressing an issue such as this?

MS RAMSAMY: Commissioner Baloyi, if we go back to my previous statement, Advocate Johnson had indicated she
10 was going to be the supervisor on the matter, meaning I reported directly to her. So that means I bypassed my – and that was, the secrecy of the matters if they are not on the designation, I could not discuss it with him, but also ...[intervenes].

ADV BALOYI SC: He was not on the designation?

MS RAMSAMY: He was not on the designation.

ADV BALOYI SC: All right.

MS RAMSAMY: It was Advocate Manilall that was on the designation and as in my previous statement part one, I
20 indicate that Advocate Johnson had said he needs to be there for the purposes of paper. She will supervise, and as we go on, the Commissioners will see that he only became aware of the matter later on.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: Paragraph 6.

MS RAMSAMY:

“Mr Perumal informed me that the witness had been flown to the Eastern Cape by the Minister of Police, Minister Mchunu, in order for Mr Perumal to consult with the witness. It...”
...[intervenes].

CHAIRPERSON: What was your understanding of this?
Did you understand it to mean that Minister Mchunu had
10 paid the airfare? If not, what was your understanding?

MS RAMSAMY: My understanding is that all arrangements were made by Minister Mchunu for this witness to consult with Mr Perumal in Eastern Cape.

CHAIRPERSON: My focus is on flown. What did you understand that to mean?

MS RAMSAMY: I had assumed that the Minister's office had paid for, because I had later met this witness and he would not have been of financial means to have flown himself to Eastern Cape.

20 **CHAIRPERSON:** All right, thank you.

ADV BALOYI SC: And this witness was coming from Pretoria?

MS RAMSAMY: Correct, from the Vetting Department of Crime Intelligence.

ADV BALOYI SC: Thank you.

MS RAMSAMY: Sorry, the Procurement Department.

ADV BALOYI SC: Procurement? Thank you.

ADV SEGEELS-NCUBE: Is this the witness that you refer to as the forklift witness?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: So maybe we should just then refer to it as the forklift witness.

MS RAMSAMY: We will do that.

ADV SEGEELS-NCUBE: I think we do refer to it later on
10 as the forklift witness, but for convenience now you can start referring to the person.

MS RAMSAMY: Thank you.

ADV SEGEELS-NCUBE: Okay. It seems strange to me.

MS RAMSAMY:

“It seems strange to me that Minister
Mchunu would be involved in this
investigation, but Mr Perumal did not
offer any further details regarding Mr
Mchunu's involvement in the
20 investigation. Mr Perumal told me that
this witness was relevant for the
procurement of the forklift by Crime
Intelligence. At the...” ...[intervenes].

ADV BALOYI SC: Was this the first time that you became aware, through Mr Perumal or any other person, of Minister

Mchunu's involvement in the work that you are doing here relating to Crime Intelligence?

MS RAMSAMY: Correct.

ADV BALOYI SC: Thank you.

MS RAMSAMY:

10 “Mr Perumal told me that this witness was relevant for the procurement of the forklift by Crime Intelligence. At that stage, I was not aware that General Jacob had informed Mr Raphesu that the Inspectorate had to update Minister Mchunu on Mr Adams' complaint every 10 days. I mention this because it seems that Mr Mchunu's involvement was more than just receiving updates from the Inspectorate on Mr Adams' criminal complaint.”

Paragraph 6:

20 “Mr Perumal indicated that a further consultation could be arranged with this witness. The consultation was held on 20 January 2025, which I deal with later.”

ADV SEGEELS-NCUBE: Before you read the next sentence, the word when must be deleted. The first word. It starts with Mr Perumal.

MS RAMSAMY:

“Mr Perumal said that the witness' evidence was gold, which I understood to mean that Mr Perumal considered the evidence to be supportive of the allegations of criminal conduct regarding the procurement of the forklift. On 14 January 2025, whilst I was attending court at Pretoria North Magistrate's Court and chatting in the passages with Advocate Tilas Chabalala together with a witness.”

This witness is in relation to a different matter for the purposes of court:

“Mr Mbalo, an investigator from Eastern Cape reporting to Mr Perumal, and Mr Bellochun. Mr Bellochun told me that he was present at the consultation with my witness.”

20 **CHAIRPERSON:** Does the my there refer to Mr Bellochun?

MS RAMSAMY: It refers to me.

CHAIRPERSON: To your? Okay.

ADV BALOYI SC: So when he speaks, he said with your witness?

MS RAMSAMY: Your witness.

CHAIRPERSON: Okay. I am asking because you put it in quotes and you use my as if it was Mr Bellochun who said my. Do you see what I mean?

MS RAMSAMY: I understand.

MS RAMSAMY: It should read with your witness:

10 "...and that he had even viewed video
footage. He was referring to the
consultation with the forklift witness that
Mr Perumal had told Mr Raphesu and me
about on the 13th of January 2025. I was
concerned that Mr Bellochun was
consulting with a witness on Project
Diversion when he had not been
designated as a team member on the
project. Yet Mr Raphesu and I, who were
designated members were only informed
about the consultation after it had taken
place."

20 **ADV SEGEELS-NCUBE**: Now why was that such a concern
for you? That he is not a designated member and yet he
knows things about and has consulted with witnesses
regarding this investigation.

MS RAMSAMY: One, as explained by Advocate Serunye
yesterday, we do not discuss our matters with other team
members or other people or other staff members of IDAC. It

is a designated team. You discuss it within the designated team. It is also a breach of section 41(6) for him to have been present at that consultation, but I will ...[intervenes].

ADV BALOYI SC: Just remind us what does 41(6) say?

MS RAMSAMY: It is a section in the NPA Act that does not allow us to discuss investigations with other parties without authorisation.

ADV BALOYI SC: Thank you.

MS RAMSAMY: The other concern is something that I will
10 address in paragraph 14.

ADV SEGEELS-NCUBE: Continue.

MS RAMSAMY:

“I asked Mr Bellochun how he could be involved in this matter if he had not been designated as one of the team members and why he deemed it appropriate to discuss details of this matter in front of Advocate Chabalala and a witness. He smirked and said in a joking way, I know
20 nothing, I did not say anything. This incident was very concerning and on the 16th of January 2025, after a scheduled meeting with Advocate Johnson...”

It should read on another matter.

ADV SEGEELS-NCUBE: And others must be deleted?

MS RAMSAMY: Correct:

“After a scheduled meeting with Advocate Johnson on another matter, I asked if I could have a discussion with her privately regarding Project Diversion. I asked Advocate Johnson if the designation for Project Diversion had been extended to include Mr Bellochun and I expressed my concerns regarding him consulting with a witness and being involved in the investigation if he is not included in the designation. Advocate Johnson told me that she was not aware that Mr Bellochun was party to the consultation that was held with the forklift witness. Advocate Johnson told me that a presentation would be held on the 22nd of January 2025 regarding Project Diversion and that I should include my concerns in the presentation for discussion at the meeting. Advocate Johnson sent an email to all designated members and Mr Sesoko, including that she wanted a presentation on the 22nd of January 2025 about Project Diversion.

On that same day, Mr Perumal emailed a draft presentation to Mr Raphesu, Padayachee and me, annexed MMR12 of Mr Raphesu's witness statement. In his covering email, he asked for input before the presentation was to be submitted to Advocate Johnson ahead of the 22nd of January 2025 meeting.”

ADV SEGEELS-NCUBE: Just before you continue with
10 paragraph 10, Commissioners, if that would be Mr Raphesu's file. If you could take Mr Raphesu's file and go to MMR12? We will flight the presentation as well. It was dealt with during his evidence. We are fighting it as well. So that is the email that was sent on the 16th, MM12.

MS RAMSAMY: Correct. From Dylan Perumal to Drushantha Ramasamy, Mr Raphesu, Brian Padayachee. Subject, Diversion presentation:

“Good day, colleagues. Please provide
input before we submit to the ID. Kind
20 regards.”

ADV SEGEELS-NCUBE: Now we can deal with the presentation which is on the next page, and we will also flight that. The first under background. We will start on background. Just wait for it to appear on your screen. Thank you. There we go. So you can read your paragraph

10 and we will follow on the presentation.

ADV BALOYI SC: Sorry. Maybe before you read that paragraph 10, let me ask you a question on an earlier paragraph. When Mr Perumal tells you that he has consulted with this witness who has flown to meet with him by the Minister, did you not ask how does Perumal end up with this witness? How did you know there is this witness to speak to?

MS RAMSAMY: Commissioner, that ...[intervenes].

10 **ADV BALOYI SC:** It seems to me, especially in the light of your concern, and you are the prosecutor in charge, it seems to me a natural question in the light of your concerns to ask how did you happen upon this witness?

MS RAMSAMY: Commissioner, to be very honest with you, I learned very early what to ask and when to ask Mr Perumal questions. It would be if I wanted those sort of answers, it would be on the smoker's balcony while he is having a smoke and I am having my coffee and we can just have a chat. That would be the time that I – but I have not
20 asked him that question.

ADV BALOYI SC: Did you ever find out or formed a view, an opinion about how he ends up with this witness?

MS RAMSAMY: I did, Commissioner, and it will become clearer ...[intervenes].

ADV BALOYI SC: You will speak to it later. All right,

thank you.

ADV SEGEELS-NCUBE: Okay. You can read paragraph 10 and we will flight the presentation.

MS RAMSAMY:

10 “I wish to highlight the following important aspects about the presentation, the draft presentation that Mr Perumal sent on that day. In the presentation under the heading background, Mr Perumal states that a member of Parliament and member of the Portfolio Committee on Police submitted an affidavit in terms of section 27 to the ID, urging that criminal investigations help to be initiated by the IDAC on the following allegations. The reporting of a fictitious housebreaking and theft case by Major General Lushaba in 2022, whilst he was the Acting Divisional Commissioner of

20 Crime Intelligence, and the subsequent manipulation of the ensuing criminal investigation utilising Crime Intelligence resources. The procurement of a forklift utilising funds from the Covid-CI account, circumventing of procurement processes

and the non-delivery of the forklift to date. The promotions and/or appointments (gratification) to specific senior managers and officers within the Crime Intelligence Division, and manipulation of vetting standards and processes (gratification) for specific senior managers of the SAPS, and the abuse of the Covid funds with regard to expenditure incurred and resources of the Political Killings Task Team, and for the benefit of the former Minister of Police. Purchase of two properties using Covid funds (PTA and KZN). The use of Covid funds to pay for high hotel accommodation and expenses for the current DivCom, Lieutenant General Khumalo and Lushaba.”

ADV SEGEELS-NCUBE: Continue with paragraph 11.

20 **MS RAMSAMY:**

“I specifically quoted the presentation to highlight to the Commissioners that in January 2025, when Mr Perumal prepared his presentation, he too referred to a section 27 affidavit that had allegations

about the forklift, the PKTT and the Secret Service Fund. This is further corroboration of Mr Raphesu and my version of the contents of the section 27 referral affidavit that we saw on the 5th and 6th of December 2024.”

ADV SEGEELS-NCUBE: And then on page 4 of the presentation, you can read in your statement and we will follow on the...

10 **MS RAMSAMY**: I do not have the ...[intervenes].

ADV SEGEELS-NCUBE: You read your statement and we will follow the presentation on the screen.

MS RAMSAMY: Thank you:

20 “On page 4 of the presentation Mr Perumal stated that the A1 affidavits obtained from Mr Adams in the various case dockets needed supplementing. He also states importantly that on the 6th of January 2025, we, Mr Perumal and Raphesu and I, travelled to Cape Town and consulted extensively with the MP. Importantly, he states, supplementary affidavits were obtained from him, being Mr Adams, for all the cases reported by him. Once again, this shows that as far

as Mr Perumal was concerned, when he prepared the presentation in January 2025, the affidavits that were obtained from Mr Adams on the 6th of January 2025 were supplementary affidavits. No mention is made of a new A1 affidavit or affidavits.”

ADV SEGEELS-NCUBE: Continue.

MS RAMSAMY:

10 “On 19 January 2025, I added a portion to the presentation which dealt with the prosecutor's input on the project and submitted the presentation to Advocate Johnson and Mr Sesoko. On the 20th of January 2025...” ...[intervenes].

ADV SEGEELS-NCUBE: Before you go to the 20th of January, we are just going to flight what you added to the presentation, and that is in File 10. The presentation starts at page 218, but we are focussing on page 229. From 229.
20 That would be the prosecutorial input. That is what you would have added to Mr Perumal's presentation.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And you deal with the various cases emanating from Mr Adams section 27 referral.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Now we are going to deal later with up to page 234, but if we could go to page 236 which refers to your concerns? Because that is relevant for purposes of why Advocate Johnson – well, Advocate Johnson said that you should add or deal with your concerns in the presentation, and at 236 you then set out your concerns.

MS RAMSAMY: May I read it into the record?

ADV SEGEELS-NCUBE: Yes.

10 **MS RAMSAMY:**

“Concerns of the prosecutor. Instructions regarding being informed about witnesses being consulted with to be discussed with the prosecutor, this was not done regarding the captive.”

This is the forklift witness:

“Open communication is imperative in an investigation of this nature.

20 [2] Undesignated members personally informing the prosecutor that they consulted with my witness and viewed the video footage. This was done in the passages of a Magistrate’s Court and in front of other undesignated members.
[3] Defeating docket...” ...[intervenes].

ADV SEGEELS-NCUBE: Just give us context on what you mean by the defeating docket.

MS RAMSAMY: That would be with regards to the events that transpired with Mr Lushaba and the housebreaking, Villieria CAS 38.

ADV SEGEELS-NCUBE: Yes?

MS RAMSAMY:

“Defeating docket. The lady is only...”

It is supposed to read:

10 “...supposed to be approached once
sufficient investigation is done. OB
entries, consultation with the first two
witnesses identified by prosecution. She
must only be approached once
investigation is at a stage that even if
she does not cooperate, there is still
strong evidence to proceed.”

ADV SEGEELS-NCUBE: Can you just tell us why that was
a concern for you, that the lady was being approached?
20 What was the concern that she was being approached?
Was she not considered to be a witness?

MS RAMSAMY: I did not find her to be a witness at that
time. There was insufficient evidence to even approach her
at that point, but my major concern was that Mr Perumal
was insisting that she must be found and that she must be

placed in witness protection and that she must be consulted with because she is vital.

And despite my numerous instructions that she is not supposed to be approached at this point, given the early stages of the investigation, I received, I was in high court and I received on the 20th of January, I received a WhatsApp message from a team member indicating that – well, from Mr Raphesu, indicating that he was contacted to fetch Mr Perumal from the airport and that they were in the
 10 process of going to hunt down the witness, despite the fact that I had, even in the presence of, or in my instructions on the 10th of December, I am still being overlooked, bypassed and ignored and he is still proceeding. At that point I sent a message while I was in court saying, no action on diversion is to be taken today.

ADV SEGEELS-NCUBE: Okay. So then you say at the last bullet point is:

“All other aspects of the above
 investigation will be discussed during the
 20 presentation due to its sensitivity.”

MS RAMSAMY: Correct. We had received instructions from Advocate Johnson that we are not to document everything that she considered sensitive. I do deal with later where we also get instructions not to email or WhatsApp, that sort of communication, anything written.

ADV SEGEELS-NCUBE: Okay.

ADV BALOYI SC: The instruction not to document everything, does that mean that some of your discussions and decisions, as matters stand now, they are in your heads? There is no record at IDAC? What does that instruction mean?

MS RAMSAMY: Commissioner, I make very detailed notes, very, very detailed notes of every meeting, and I have supplied them. I have also volunteered to provide the
10 originals for ink age analysis to determine that I did take those notes at that time.

ADV BALOYI SC: I understand. You clearly did not follow instructions. You were not supposed to document. I am asking a different question and more an institutional question. That instruction, am I correct, means today that there are matters that were discussed, there are decisions that were taken, and acted upon even, that are not recorded anywhere. When I say they are in your heads, we would have to get another Ms Ramsamy to come and sit there and
20 say here is my recollection of that decision, but to the extent that the institution is obliged by law, if there is such an obligation by law, to keep records of discussions, of decisions, there is in fact, what you are telling us, there is matter that we will never find record of because of that kind of instructions and how you handled that.

MS RAMSAMY: Correct. Commissioner, it is also in an email from Advocate Johnson that we will deal with a bit later, where she emails a specific team, us and the new team that is allocated to the matters, as to how correspondence is supposed to be done and that it is not supposed to be documented.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: Thank you. Let us continue in paragraph 13, on 20 January 2025.

10 **MS RAMSAMY**:

“On 20 January 2025, a consultation was held with the forklift witness. Present at the consultation was Mr Perumal, Padayachee, and Raphesu, the witness, and me. As stated earlier, Mr Perumal previously informed us that the evidence of this witness was gold, but my assessment of the witness evidence was that it was largely hearsay and speculative. Mr Perumal later indicated that DPCI was investigating the forklift matter and that IDAC should not pursue it any further. This was accepted by Advocate Johnson.”

20

ADV SEGEELS-NCUBE: Does that mean that from that

day onwards, IDAC no longer investigated the forklift matter?

MS RAMSAMY: That paragraph of Mr Perumal indicating, it was done in the 2022 January presentation.

ADV SEGEELS-NCUBE: 2022 January presentation, yes.

MS RAMSAMY: And then, despite the fact that the decision was accepted, that DPCI would continue with the forklift investigation, I later became aware, and I say later, I mean like on the 11th of April, became aware that
10 ...[intervenes].

ADV SEGEELS-NCUBE: The 11th of April what year?

MS RAMSAMY: Of 2025.

ADV SEGEELS-NCUBE: Okay.

MS RAMSAMY: I became aware that there were statements taken by Mr Perumal and Mr Padayachee on that matter. I was only provided with them in April by accident.

ADV SEGEELS-NCUBE: Okay, let us just take a step back. So, in the presentation that gets sent by Mr Perumal on the 16th of January 2025, for purposes of the 22 January
20 meeting, there is an indication by him that DPCI is investigating this matter, so IDAC will no longer investigate it. And at the meeting of 22 January, does Advocate Johnson then accept it then, the suggestion that it should no longer be investigated?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. So, as you understood from the 22nd of January 2025, the forklift matter was no longer being investigated by IDAC.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: But in April, you are provided with, or you come across by accident, affidavits which show that they were in fact still investigating it, or were those affidavits, did they predate 22 January?

MS RAMSAMY: No. These affidavits were taken after 22
10 January.

ADV SEGEELS-NCUBE: Okay, so despite the acceptance by Advocate Johnson on the 22nd of January that we are not going to investigate forklift, it still gets investigated, or at least there is still something being done on forklift, such as gathering affidavits from witnesses.

MS RAMSAMY: Correct. And we will see later that even though it was decided in January that we were not going to deal with the forklift matter, it is still included in instructions by Advocate Johnson that forklifts, when we get there, you
20 will see the order of how she places things, and she is still including the forklift.

ADV SEGEELS-NCUBE: Okay.

ADV BALOYI SC: Can I just check this? How does it work? Clearly this matter, the forklift matter, at this point I am not asking about whether it qualifies as an IDAC matter

or not when you look at the mandate. I am not asking that kind of question. But you are seized with the matter because someone has referred it to IDAC. Now you get told by Mr Perumal that the Hawks, the DPCI, are investigating the matter and we will no longer deal with it. I think, are those kind of issues dealt with informally?

I would have thought there would be a record between you and the DPCI which records that DPCI is investigating this matter maybe ahead of you, or they think
10 it belongs to them and there is a formal communication that says, all right, now we leave it to you, we no longer are dealing with it. So there is a record within IDAC of what happened to this matter.

MS RAMSAMY: Correct, Commissioner. It is supposed to be that way. It is supposed to be that way.

ADV BALOYI SC: Okay.

MS RAMSAMY: Because I belong to the security cluster under Paul Louw and we deal with those matters, there would be formal communication that we would send in these
20 circumstances. I even wanted to know, I think it was later in the year, because they had collected the Langlaagte docket, I wanted to know whether it was returned. Because if we have got the original docket, how are they investigating? And I did ask that question, and I received no response. But on the point of the Langlaagte docket, it

is the only docket where Mr Adams actually provided documentary evidence with his A1.

ADV BALOYI SC: The Langlaagte, it is the forklift ...[intervenes].

MS RAMSAMY: Forklift.

ADV BALOYI SC: Okay.

ADV SEGEELS-NCUBE: And the documentation that he provided was the documentation that was slipped under his door?

10 **MS RAMSAMY:** As he stated, yes.

ADV SEGEELS-NCUBE: Okay.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: You testified about that under your first statement, it was receipts and proof of payments.

MS RAMSAMY: Correct, it was the procurement invoices, et cetera.

ADV SEGEELS-NCUBE: Okay. Paragraph 14, and I think it is 2025, not 2024.

20 **MS RAMSAMY:** Yes, it is 2025. On January 2025 ...[intervenes].

ADV SEGEELS-NCUBE: 21 January.

MS RAMSAMY:

“On 21 January 2025, I had a conversation with Mr Perumal regarding the matter of Cedric Nkabinde. I will deal

with this topic separately when I deal
with the trumped-up case against Mr
Raphesu. However..." ...[intervenes].

ADV SEGEELS-NCUBE: Ja, I think you can deal with it
now because you do not expand on it in your statement.
You reference another affidavit that was prepared as part of
that where you were requested to prepare an affidavit
regarding that aspect. So maybe if you can just start out by
telling us what is the Cedric Nkabinde matter and then we
10 can go to your affidavit.

MS RAMSAMY: Okay. So on the 20th of January 2025,
when we were consulting with the forklift witness, he made
mention of Cedric Nkabinde. As naive as I am, I did not
know who that was, so I had to Google. When we were on
the smoker's balcony the day after, Mr Perumal and myself,
he mentioned to me that... So there were two aspects that
he addressed with me that day.

One, that he did not want the witness to speak
about Cedric Nkabinde in front of Mr Raphesu. And I did
20 not understand because at that time I did not know that they
had worked together at IPID.

ADV SEGEELS-NCUBE: They being? They being they had
worked together with ...[intervenes].

MS RAMSAMY: Mr Nkabinde and Mr Raphesu had
previously worked at IPID together. The second aspect

...[intervenes].

ADV BALOYI SC: Sorry, and the witness that he refers to is the forklift witness?

MS RAMSAMY: Correct.

ADV BALOYI SC: Okay.

MS RAMSAMY: With regards to that forklift witness mentioning Mr Nkabinde, it was about the arrangements to go and consult with Mr Perumal. So on the 21st when we were on the balcony, Mr Perumal addresses this aspect and
10 I said, but why? And he did not give me a reply. His next response to me was, Dru, Dru, I need you to speak to ID. So I said, about? And he said, no, no, no. Raphesu is going to start crying that the work is too much now. I need you to speak to ID to bring on my guys.

So this is the second time Mr Perumal is asking me to bring on his Eastern Cape guides, being Mr Beluchen, Mr Mbalo, because Mr Mazibokwana at that time was in hospital. The first incident where Mr Perumal brought up the aspect of his guys being on board was on the 6th of
20 December, also on the balcony, where he said to me – well, I said to him, so I hear we have a new matter together, because he and I, we were not speaking, on good speaking terms at that time because of what had transpired with the first 27 referral.

We spoke, but it was not very friendly. And he

said, yes, yes, I need you to get those documents sorted out now because the ID must sign it. I want my guys to go and fetch the dockets before we leave, because they were flying back to Eastern Cape. And I said to him, but the ID did not designate, and then I gave him the five people that were designated. So with regards to the Nkabinde matter, if I may just go to the affidavit?

ADV SEGEELS-NCUBE: The affidavit is at page 248 of File 10.

10 **CHAIRPERSON**: And this is Mr Nkabinde, Minister Mchunu's Chief of Staff, or not?

MS RAMSAMY: Correct, correct.

CHAIRPERSON: 24? 248, thank you.

ADV SEGEELS-NCUBE: So can you just tell us how this affidavit came about?

MS RAMSAMY: I have to go back to the 22nd of January. So we start the presentation to Advocate Johnson on the 22nd of January. We go through the presentation. Mr Perumal is primarily reporting or presenting to the ID. After
20 ...[intervenes].

ADV BALOYI SC: This is the same presentation that we have been looking at?

MS RAMSAMY: MRR?

ADV BALOYI SC: Yes.

MS RAMSAMY: Correct. So what happens on the 22nd is

we are all sitting in the boardroom. The presentation is now done. Advocate Johnson says she needs to inform the team about what happened to her the night before, or it was either the 20th or the 21st, but during the evening. She indicates that she had gone to Minister Mchunu's house or residence for a meeting and that she had left her cell phone with her protectors and she was left waiting for Minister Mchunu in his residence but in the presence of Mr Nkabinde and that Mr Nkabinde had given her the heebie-jeebies.

10 **ADV SEGEELS-NCUBE**: Made her feel uncomfortable.

MS RAMSAMY: Yes, made her feel uncomfortable. So she went on about how there is something not right about Nkabinde. I am still trying to place the pieces together because I am not coming from the history of... I was in Regional Court, murder, rape, robbery. So I did not know the role players ...[intervenes].

CHAIRPERSON: It may not be relevant, but did she explain what exactly made her feel uncomfortable?

MS RAMSAMY: She did not explain why she felt
20 uncomfortable. She explained only the purpose of the meeting with Minister Mchunu.

CHAIRPERSON: Okay, all right. Please continue.

MS RAMSAMY: So at that point where she is explaining her unease and that there is something just off about Mr Nkabinde, Mr Sesoko, who was present in the presentation,

indicates that Mr Nkabinde had worked at IPID and she said, no, no, no, there is something, he is – there is just something about him. We need to see what we can do about him.

So, and I am making notes. And she then says that... So Mr Sesoko starts explaining that how Mr Nkabinde left IDAC, or IPID, sorry, and that there was transcripts with regards to a case where he was found to be a discredited witness, et cetera. And Advocate Johnson
10 said she wanted it.

So Mr Sesoko asked Mr Raphesu, did you receive or do you have them? And he said yes. And then the instruction was that he was to circulate the transcripts to the team members. So then there was this whole conversation between Mr Sesoko and Mr Perumal. I was just sitting there taking my notes about Mr Nkabinde having been linked to two other investigations and elements of criminality within matters that are in IDAC's space.

One being investigated from Mr Perumal's team and
20 the other one was a matter that was sent on 27 referral in 2019 from IDAC at the time of the Zondo Commission. IPID, IPID, at the time of the Zondo Commission. Advocate Johnson then instructs me, Dru, I want this information. I want this information. We need to see what we can do about this guy.

When she says this guy, she refers to Mr Nkabinde. So then the conversation continued between Mr Sesoko and Mr Perumal where there were cell phone records linking Mr Nkabinde to two different suspects, not suspects because they are accused persons and they were service providers of SAPS that was being investigated by IPID.

And I am instructed by Advocate Johnson that I must contact the prosecutor on the matter, Mr Tilas Chabalala, and determine the links and what evidence there
10 is, and I must then give her a report on that evidence.

ADV SEGEELS-NCUBE: You were instructed by who to contact the ...[intervenes].

MS RAMSAMY: Advocate Johnson wanted this, and she wanted it urgently. She wanted it done as soon as the meeting was done. Unfortunately, I had other meetings, so it could not happen. But going back to the affidavit ...[intervenes].

ADV BALOYI SC: Before you do that, what you are describing means at the date of this meeting that you are
20 telling us now about that there was an active investigation against or relating to Mr Nkabinde. Because you speak of Mr Perumal and Mr Sesoko talking about transcripts, Mr Raphesu confirming that he has received the transcripts, so it sounds like there was an active investigation. You may not have known about it.

MS RAMSAMY: No, Commissioner. The transcripts that Mr Sesoko asked Mr Raphesu about is transcripts of a trial where Mr Nkabinde was a witness and was discredited. So those transcripts were asked for. With regards to the investigation, there was no active investigation at the time. There was links of Mr Nkabinde to, or in other investigations or matters that were already in court ...[intervenes].

ADV BALOYI SC: Let me restate what I am trying to
10 confirm with you. There may not have been an investigation, an active investigation to the extent that that word has got a formal meaning, a particular meaning. My question really is something was being looked at within IDAC. His name was not coming up for the first time in this meeting being mentioned to people in IDAC. Mr Sesoko had some discussion with Mr Perumal before your meeting relating to Mr Nkabinde.

MS RAMSAMY: No, no, no. The discussion about Mr Nkabinde started... Mr Perumal had a discussion with me
20 that he did not want the name of Nkabinde mentioned to Mr Raphesu.

ADV BALOYI SC: Yes.

MS RAMSAMY: The discussion involving everyone about Mr Nkabinde was started by Advocate Johnson in the meeting after the presentation and then everybody that

knew him was piping in to say, oh yes, we have that, or yes, we know about this. So it was that sort of conversation.

ADV BALOYI SC: Okay. I think what I am trying to make sense of or to understand is, you say Mr Sesoko in that meeting confirms he has spoken to Mr Perumal, or they speak to each other in that meeting. Something is asked about transcript. Raphesu says, yes, I do have the transcripts. What I am trying to understand is whether they each just happened to have something about Mr Nkabinde
10 and it had no particular meaning until that meeting. Or, in fact, it suggests that they may well each have been, for whatever purpose, have been possessed or dealing with something to do with Mr Nkabinde. It is that which I am trying to clarify.

MS RAMSAMY: For clarity purposes, when Mr Nkabinde's name was mentioned and all this information was, it must be noted that at that time that no investigator, no prosecutor, were pursuing the evidence that was housed within those dockets against Mr Nkabinde.

20 **ADV BALOYI SC:** Okay. No, thank you. You have answered me. Thank you.

MS RAMSAMY: Thank you.

CHAIRPERSON: So basically, all of this, that is the request for people by, the request by Advocate Johnson for people to get her information, all of it stemmed purely from

the fact that she had heebie-jeebies about him? Is that how it appeared to you or was there anything else?

MS RAMSAMY: No, it looked like there was a deeper reason for this. I do deal with it a little bit later on about the WhatsApp that Advocate Johnson had sent me about the Mr Nkabinde thing.

CHAIRPERSON: All right, all right.

ADV SEGEELS-NCUBE: You can deal with it now because it forms part of the chronology because your affidavit comes
10 later, but you wanted to introduce the affidavit first. So let us go back to how I wanted to deal with it. You, on the 22nd, the 22nd of January has significance for two reasons. After the presentation, there is this discussion about Mr Nkabinde.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: But there is also, prior to that, how Project Diversion was going to be implemented going forward, and that we deal with later.

MS RAMSAMY: Correct.

20 **ADV SEGEELS-NCUBE**: Part of the 22 January where Mr Nkabinde was discussed, the meeting with Minister Mchunu and Advocate Johnson a day or two prior also has significance in respect of Project Diversion and Mr Nkabinde. So let us just deal with Mr Nkabinde now because that has significance insofar as Mr Raphesu's

victimisation is concerned, and that is how the affidavit comes about later.

But you can then go to, after Advocate Johnson asks for these requests on the 22nd of January, there is a WhatsApp exchange between the two of you, which is at page 239 of File 10.

MS RAMSAMY: Okay:

“On the 23rd of January 2025, at 13:38, I
sent Advocate Johnson...” ...[intervenes].

10 **ADV SEGEELS-NCUBE:** Sorry, Ms Ramsamy, when you read from the file, maybe bring the file closer to you so that you do not move away from the microphone. Thanks.

MS RAMSAMY: 13:38:

“Afternoon, Advocate Johnson. I spoke
to Tilas about the links and the evidence
regarding C Nka.”

ADV SEGEELS-NCUBE: That is a reference to Mr Nkabinde and Tilas is Advocate Chabalala.

MS RAMSAMY: Correct:

20 “Peter White has a comprehensive report
on the links on various matters, cell
phone records, and vehicle provided to
him.”

Him being Mr Nkabinde.

ADV SEGEELS-NCUBE: And who is Peter White?

MS RAMSAMY: He is a data analyst.

ADV SEGEELS-NCUBE: Within IDAC?

MS RAMSAMY: He previously was within IDAC on contract basis. He is now a service provider.

ADV SEGEELS-NCUBE: Okay.

MS RAMSAMY:

10 “Raphesu has provided the transcripts
 of the court case and judgment. I will
 await your instructions on obtaining the
 report and providing the same to your
 office.”

ADV SEGEELS-NCUBE: What report are you referring to
here?

MS RAMSAMY: The Peter White report because Advocate
Johnson had instructed me to speak to Tilas and find out
what evidence against Mr Nkabinde was at hand, and that is
why I am informing her that Mr White has a comprehensive
report.

20 **ADV SEGEELS-NCUBE:** Okay. And then there is a
 response from Advocate Johnson.

MS RAMSAMY:

 “Please obtain report. Just met the
 Minister now. Need to put together
 ASAP.”

I reply:

“Noted. Thank you.”

ADV SEGEELS-NCUBE: Okay, and you wanted to refer to this exchange in response to a question about from the Chair whether the only reason for the enquiry by Advocate Johnson was because Mr Nkabinde made her feel uncomfortable, and you said you thought that there was a different reason and referred us to this. So can you tell us why you say so and why this is relevant?

MS RAMSAMY: My understanding or observation of this is
10 that if she is saying to me, just met the Minister now, need to put this together ASAP, obviously the Minister is also happy or approving that Mr Nkabinde must be investigated, charged.

ADV SEGEELS-NCUBE: Well, at that stage there is nothing suggesting that he must be charged. She is just gathering information at the time.

MS RAMSAMY: If I may just put it as to how I understood it in the meeting on the 22nd of January? I want something on this guy.

20 **ADV BALOYI SC**: Meaning what in your speak?

MS RAMSAMY: In my head, Advocate Johnson wanted dirt on Mr Nkabinde and she wanted to charge him.

ADV SEGEELS-NCUBE: And your reference, so are you suggesting that at the meeting, either on the 20th or the 21st at the Minister's residence, that was when the Minister and

Advocate Johnson discussed Mr Nkabinde?

MS RAMSAMY: I assumed it to be so because of the way Advocate Johnson was pushing for the information, even on the 23rd, and then she said she spoke to the Minister, we must move ASAP. The other aspect of the 22nd of January 2025 meeting that made me alert to the fact that the meetings with the Minister were common or regular was that she said, Advocate Johnson said to the team the Minister wants to clean up SAPS, he wants us to help him clean up
10 SAPS. Crime Intelligence specifically.

CHAIRPERSON: Let me just take you back on digging up dirt on Mr Nkabinde. From where I am sitting, that is not the only inference that one could have drawn. What if perhaps the Minister wanted his mind put at ease? Say for example, just make sure that what I have heard about Mr Nkabinde is in fact not true. And if that were the case, then his mind would be put at rest.

MS RAMSAMY: I could agree that that is a possibility.

CHAIRPERSON: I am asking it in the light of what Ms
20 Segeels-Ncube raised with you, which is there was no charge or what, I have forgotten the language. That too is a possible inference under the circumstances.

MS RAMSAMY: It could be a possible inference, but the manner in which it was said to me I knew already because I was in the environment and I could read the room. But also

the urgency on the 23rd, but then my evidence will further show that I was getting pressure to do a 28 to investigate a stand-alone against Mr Nkabinde.

ADV SEGEELS-NCUBE: Yes, my question was specifically at that stage that could have been a possibility because there were no charges yet. Advocate Johnson did not say we need to charge him. She just wanted the information. She was gathering information.

MS RAMSAMY: Correct.

10 **ADV KHUMALO SC**: Ms Ncube, maybe I misheard you. Did you say at the minister's residence or at the Minister's instance?

ADV SEGEELS-NCUBE: Residence.

ADV KHUMALO SC: So it came from you and not the witness. What do you know about the meeting at the Minister's residence, the meeting between Advocate Johnson and the Minister?

MS RAMSAMY: That it had taken place afterhours. That she was left waiting for an extended period of time for the
20 Minister. She was with the Chief of Staff, Mr Nkabinde. And at that meeting, except for the heebie-jeebies, the aspect of the Minister wanting to clean up SAPS and more specifically Crime Intelligence was discussed.

ADV KHUMALO SC: So that was the subject of discussion at that meeting?

MS RAMSAMY: That is what I was informed.

CHAIRPERSON: And did Advocate Johnson tell you what exactly the Minister had said about Crime Intelligence, which gave rise to the need for a cleanup?

MS RAMSAMY: No, Chair. I was not privy, but from the way the conversation progressed, it was clear that the only three people in the room that knew what was being spoken about in those undertones was Advocate Johnson, Mr Padayachee, and Mr Perumal.

10 **ADV SEGEELS-NCUBE:** Thank you, Chair. I see that it is 11:01. Maybe take the adjournment.

CHAIRPERSON: Let us adjourn and resume at 11:30.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Yes, Ms Ncube?

ADV SEGEELS-NCUBE: Thank you, Chair. Ms Ramsamy, we were still dealing with the issue of Mr Cedric Nkabinde and I just want to clarify some issues with you before you move on with that topic. The first is just to confirm that Mr
20 Nkabinde at that stage was not the subject of any IDAC investigations?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And then insofar as the second aspect is concerned, you mentioned that there was a purpose for the meeting with the Minister, Minister Mgunu

and Advocate Johnson either the 20th or the 21st of January. I am not sure whether you actually specifically told us what the purpose was and who told you that that was the purpose for the meeting.

ADV RAMSAMY: I was not specifically told what the purpose of the meeting was. From the manner in which the conversation was going between Mr Padayachee, Mr Perumal and Advocate Johnson, I picked up that there was, firstly that this was not the first meeting but what Advocate
10 Johnson eventually said was that the Minister wants to really clean up Crime Intelligence and SAPS. So I thought that was the purpose.

ADV KHUMALO SC: Just so that we are not confused, on 239, because you are talking about the meeting on the 20th?

ADV RAMSAMY: Correct.

ADV KHUMALO SC: The late night meeting.

ADV RAMSAMY: The night meeting, correct.

ADV KHUMALO SC: I do not know how late but let us say it is an evening meeting, let us not say late night.

20 **ADV RAMSAMY:** Correct.

ADV KHUMALO SC: This one is on the 23rd of January 2025.

ADV RAMSAMY: Correct.

ADV KHUMALO SC: And it must have taken place in the morning because Advocate Johnson says just met the

Minister now.

ADV RAMSAMY: Correct, at 13.44.

ADV KHUMALO SC: Ja.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay.

ADV BALOYI SC: So at this page 239 and your evidence so far, there is then been at least two meetings between the Minister and Ms Johnson.

ADV RAMSAMY: Correct.

10 **ADV BALOYI SC:** According to this. Are you aware of any further meetings?

ADV RAMSAMY: Not directly aware. I was just in the meetings here, the Minister said, the Minister said.

ADV BALOYI SC: Okay.

ADV RAMSAMY: But I did not know how it was communicated or whether they were still meeting.

ADV BALOYI SC: Okay.

ADV KHUMALO SC: And do you know who went with Advocate Johnson to this meeting?

20 **ADV RAMSAMY:** That, the meeting of the 20th or the 21st?

ADV KHUMALO SC: This one, the 23rd.

ADV RAMSAMY: The 23rd, no, I am not aware of what that meeting was about.

ADV KHUMALO SC: You know about the 20th, who went with?

ADV RAMSAMY: I was informed by Advocate Johnson that she was alone waiting for the Minister with Mr Nkabinde.

ADV SEGEELS-NCUBE: And she, with her protectors of course.

ADV RAMSAMY: Her protectors were asked to wait outside and her cell phones were handed to the protectors.

ADV SEGEELS-NCUBE: Okay. And then just staying on 239, when you start out the message to Advocate Johnson, you say:

10 “Afternoon Advocate Johnson, I spoke to
 Telus about the links and evidence
 regarding C Nkab.”

When you explained the taskings that Advocate Johnson gave on the 22nd of January, I do not recall you saying whether she had asked you to do something specifically. So I just wanted to know how do you get to the point where you are telling her that you spoke to Telus, was it an instruction from her or...?

ADV RAMSAMY: Correct. The instruction, after the
20 communication and the discussion about Mr Nkabinde, which was primarily between Mr Perumal, Mr Sesoko and Advocate Johnson, we were just party to the meeting. Advocate Johnson instructed me because Advocate Chabalala was the prosecutor on those two matters that were discussed and those matters were within the IDAC

space and already in court.

Advocate Johnson instructed me to contact Advocate Chabalala and find out what evidence was contained in those two dockets against Mr Nkabinde and then report to her. And that is how I determined through Advocate Chabalala that Mr Peter White had documentary evidence with regards to forensic analysis.

ADV SEGEELS-NCUBE: Okay. Then do you want to continue with the timeline insofar as the Cedric Nkabinde matter is concerned? So now we have dealt with the 23rd.
10 For reference, if you then want to look at your April affidavit on 248, although this affidavit comes later, you do set out a comprehensive history of events that transpired.

ADV RAMSAMY: In my affidavit...

ADV SEGEELS-NCUBE: If we go to 253, that is where you talk about the 23rd of January.

ADV RAMSAMY: 253?

“On the 23rd of January 2025, around
13h00, I contacted Chabalala. I advised
20 him that the ID asked me to contact him
and ask him...”

Sorry, it should say ask, but it just says ‘as’;

“...about the link between Nkabinde and
his two cases. He advised me that in Blue
Lights there was a comprehensive report

compiled by White. However, he was told by Advocate Louw and Colonel Roelofse that that is not the angle of prosecution that they were pursuing and nothing was done further about the report. I then contacted the ID via WhatsApp, explaining above and requesting instructions regarding obtaining the reports. I was asked by the ID to obtain the reports. I then contacted Sesoko. I asked him to please assist. I do not want to contact White directly as he is a witness in a matter that I am allocated. On the 24th of January 2025, ID indicated via WhatsApp to me she wanted a progress report on Nkabinde. A meeting took place on the 27th of January.”

ADV SEGEELS-NCUBE: Can we just establish that you are saying that on the 24th, Advocate Johnson asks for feedback from you?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay, and that we will find at page 242 and maybe we start at 240, the top of 240. And just to give context on the date that we are talking about, you can see on 239 that at the foot of that page it says 24

January 2025 and at 2.40 she says there is a message from Advocate Johnson at 10.54. Do you want to start there?

ADV BALOYI SC: Before you start there, at that foot of 239:

“I handed all dockets that came to me in
December to Chief and Brian.”

What dockets are these?

ADV RAMSAMY: The original dockets.

ADV BALOYI SC: Relating to Mr Nkabinde.

10 **ADV RAMSAMY:** No, this message was in relation to the fact that the dockets she had asked me to hand to her PA after they were photocopied, the Fadiel Adams dockets.

ADV BALOYI SC: Okay.

ADV RAMSAMY: She then indicated to me that she handed all the dockets that came to me in December to Chief, being Mr Perumal and Brian.

ADV BALOYI SC: Okay, thank you.

ADV RAMSAMY: At 10.54, Advocate Johnson sends me a WhatsApp saying:

20 “Just want to know how far we are with the
Nkabinde stuff.”

I reply:

“I will advise within the next 20 minutes.
The report was going to be sent to Mr
Sesoko.”

ADV SEGEELS-NCUBE: You can leave that last part. We will get to that when we deal with the Adams matters. And so that is what you were referring to that you had indicated, she asked for an update and you responded to that.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And you can go back to your statement, to your affidavit at 253.

ADV RAMSAMY: Thank you.

10 “I contacted Sesoko however he was in a
meeting. I then contacted White directly.
He explained at length the cell phone
records, a payment of a large amount for
clothing and a vehicle. I sent ID a text
with this information, including the fact
that White had a five page report on this
but was told to cease work and thus did
nothing further. On the same day, Sesoko
contacted me telephonically, indicating
that he was on his way to the office and
20 wanted to see me. When I went to his
office, I found Binang being Investigator
Temane Binang, and Chabalala being
Senior State Advocate, Tilas Chabalala.
The discussion was about the White's
report. Chabalala indicated that a stand-

alone prosecution can ensue and Binang can start finalising the investigation. Sesoko indicated that he did not want any of the IPID investigators to deal with the matter and that a neutral IDAC investigator should pursue the investigation. I was then contacted by the ID's personal assistant, indicating that the ID was available for the meeting with
10 Sesoko and myself. Perumal was already seated in ID's office when I arrived. The attendees at this meeting was the ID, Sesoko, Perumal, and myself. Sesoko proceeded to explain to the ID and Perumal the links as per the charts provided by White. There was discussions about the investigation that needs to proceed. Perumal indicated that Bellochun can continue with the
20 investigation."

ADV SEGEELS-NCUBE: Can I just pause there and ask you to, as part of our timeline, if you can go to 242 of, which is the WhatsApp's, page 242. Are you there?

ADV RAMSAMY: I am.

ADV SEGEELS-NCUBE: At 242, it is part of a message

that you send to Advocate Johnson about the Nkabinde matter at the top at 12.59. You say:

“There is also links on cell phone records between Nkab and James.”

Who is James? You do not have to say it if it is a...

ADV RAMSAMY: No, no, he is a well-known former General or Lieutenant General of SAPS. It is James Ramanjalum. He just finished serving a five-year sentence after a plea agreement between the IDAC and himself.

10 **ADV SEGEELS-NCUBE:** Okay. And you say, so:

“There is records between Mr Nkabinde and James, and we will need to obtain those records from Sunil as well.”

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And this is all part of fact-finding, fact-gathering in respect of Mr Nkabinde?

ADV RAMSAMY: Correct, on the instructions of Advocate Johnson.

20 **ADV SEGEELS-NCUBE:** No investigation authorised as yet?

ADV RAMSAMY: No, there was nothing.

ADV SEGEELS-NCUBE: Okay.

ADV BALOYI SC: Where Mr Chabalala says that a stand-alone prosecution can ensue, it is a stand-alone prosecution of Mr Nkabinde that he is talking about?

ADV RAMSAMY: Correct.

ADV BALOYI SC: And the prosecution would be for what, as you understood it here?

ADV RAMSAMY: Based on what I had been told at that point, Mr Nkabinde is linked to receiving a large sum of money for the purposes of clothing from a service provider that IPID was investigating.

ADV BALOYI SC: While he was still at IPID.

ADV RAMSAMY: While he was still at IPID. And the other
10 link where I speak about James Ramanjalum is that there is cell phone records between the accused and Mr Nkabinde, and there was an investigation that was being dealt with by both DPCI and IPID with regards to that procurement irregularities, and both those matters are in court.

ADV BALOYI SC: Okay. Thank you.

ADV KHUMALO SC: Did the report also reveal that he received an Audi and some cash paid for by this person that was being investigated by IPID?

ADV RAMSAMY: Correct. The report did indicate about
20 the Audi. It also spoke about how the Audi was collected and for what period it was used, and the cash. And the cash link was based on the withdrawal of the service provider and the cell phone tower, and the phone calls between those parties.

ADV BALOYI SC: So, at this point, has there been a

referral or complaint to IDAC about Mr Nkabinde?

ADV RAMSAMY: No.

ADV BALOYI SC: There is not at this point?

ADV RAMSAMY: There is nothing formal. It is just instructions from Advocate Johnson that we must gather the information that we have of criminality.

ADV BALOYI SC: And it all comes after her meeting with the Minister where she said Nkabinde gave her heebie-jeebies.

10 **ADV RAMSAMY:** Correct. I do believe there is more to what transpired between the two of them. I am just not aware of it.

ADV BALOYI SC: Okay. Thank you.

ADV SEGEELS-NCUBE: Then just to continue with that 242, Advocate Johnson then responds at 1 o'clock.

ADV RAMSAMY: At 1 o'clock.

“I am shocked. He is the staff officer of the Minister ...[intervenes]”

ADV SEGEELS-NCUBE: I am shook.

20 **ADV RAMSAMY:** Shook. Sorry.

“I am shook. He is the staff officer of the Minister of Police. Can you what damage he can do with all the information, et cetera, he gets from the office, from that office?”

ADV SEGEELS-NCUBE: And then I am interested in your response at 13.02. Read that and then explain to us.

ADV RAMSAMY:

“It explains how the messages for not cancelling the task team were so easily conveyed and consequences of cancelling. The MP in Cape Town showed us the messages.”

ADV SEGEELS-NCUBE: [indistinct]...

10 **ADV RAMSAMY:** Yes, I think ...[intervenes]

ADV SEGEELS-NCUBE: Sorry, when you say not, you are referring to the notice for cancelling.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay.

ADV RAMSAMY: And with regards to this, I had in Part 1 indicated that when we were in consultation on the 6th of January 2025 with Mr Fadiel Adams, he did show us messages allegedly from Mister or General Mkhwanazi indicating that they were going to arrest Minister Mcunu if
20 the PKTT was closed. I also indicated that I was not sure if it was Mr Nkabindi or the Minister that had forwarded the messages.

ADV SEGEELS-NCUBE: Yes, because you said the messages, you were not really interested in the messages.

ADV RAMSAMY: I was not interested.

ADV SEGEELS-NCUBE: And Mr Raphesu said that he could not really decipher what the message was saying because Mr Adams was telling him what the message is saying while showing him the message.

ADV RAMSAMY: Correct. That is how, because I did not read the messages and Mr Adams was talking over and explaining what the messages were saying, that is how I understood what the messages were about.

ADV SEGEELS-NCUBE: And that is what you mean when
10 you say and consequences of cancelling. In other words, what Mr Adams had told you and Mr Raphesu and Mr Perumal is that Minister Mcunu is going to be arrested if the task team is cancelled.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Do you want to then go back to your affidavit?

ADV RAMSAMY: Correct. Thank you.

ADV BALOYI SC: Before you do that, previously or today, did we get an explanation of what this affidavit, that is at
20 page 248, what is its purpose under what circumstances?

ADV SEGEELS-NCUBE: I had asked the witness, Commissioner Baloyi, and you will recall that she went and explained the affidavit but not the purpose of it. And that is when I took her back to the history, so maybe you can just tell us why you prepared it.

ADV RAMSAMY: Commissioner, Chair, on the 30th of January 2025, Advocate Johnson sent me messages indicating something bad had happened and I was going to be heartbroken. We will deal with them as I am dealing with the chronology. And when I went to, she had wanted to see me, but I was on treatment at the time so I was not in the office. And when I did return to the office, I went to, Advocate Johnson indicated through her PA that I must come and see her.

10 And she said to me that she had received a call from Mr Nkabinde, indicating that Mr Raphesu had informed him that he was being investigated by IDAC and that if, something about if they want his bank records and all of that he would provide it. But she did not go into detail because she was speeding along to the point where Raphesu has now breached section 41(6), he must be charged.

 At some point during the conversation she told me that Perumal wanted him to be escorted out of the building
20 by the security, you know, that was the line of the conversation. Later on, on the 26th of February, I am on vacation and I receive a phone call from Mr Mbalo. Mr Mbalo is a member of Mr Perumal's investigative team. He indicates that the ID wants, has instructed that I must do an affidavit on Mr Raphesu's investigation.

So because I was with people, I was with family, we were on vacation, I said to him I will call him when I get back. Because I did not understand what was required and why as a prosecutor I was being asked to file an affidavit. So later on, somewhere in March, I call Mr Mbalo. He explains that the ID instructed that I must do an affidavit for the internal investigation against Mr Raphesu. So I asked, who is running the investigation? Where is the reference number for the investigation?

10 You are asking me for an affidavit but I do not even have, I mean, HR reference number must at least be provided to me. In any event, I was told she wants the affidavit and that is the purpose of this affidavit. I must state that on the 30th when I was being informed by Advocate Johnson about this, I did voice that I highly doubt it was Mr Raphesu. And I explained to her that I had been present and taken notes in all the meetings that transpired about Mr Nkabinde.

20 Mr Raphesu's involvement in the Mr Nkabinde thing ended after he gave us the transcripts of the trial on the 22nd of January 2025. And that he had, he was not party to any of the meetings so could it not possibly be someone that was in our meetings. So, should I proceed?

ADV SEGEELS-NCUBE: Yes.

ADV RAMSAMY: I found Binang and Chabalala, the

discussion was that, oh sorry, I read all of that already.

“I was then contacted by the ID's personal assistant, indicating that the ID was available for the meeting with Sesoko myself. Perumal was already seated in the ID's office when I arrived. Attendees at the meeting were ID, Sesoko, Perumal and myself. Sesoko provided the explanation to the ID and Perumal and the links as per the charts provided by White. There were discussions about the investigation that needed to proceed. Perumal indicated that Bellochun can continue with the investigations. Sesoko stated the sentiment he shared in the meeting as per paragraph 6.39. The ID agreed and stated that Padayachee would attend to the investigations. The meeting continued where Perumal indicated that a person called G...”

This initial is used when referring to Geninda. I think he is a General, Geninda. But I know he is from Cold Cases, SAPS.

“...was told or positioned to take the message to the top. I was unclear what

the statement meant, as it was in context of what we were discussing regarding Nkabinde. I then excused myself from the meeting. On the 30th of January 2025, Sesoko contacted me regarding the authorisation documents for the Nkabinde matter. I sent the ID a WhatsApp, asking if the authorisation should be done in terms of which form of authorisation.”

10 **ADV SEGEELS-NCUBE**: Can we go to that WhatsApp at 245?

ADV RAMSAMY:

“Afternoon, Advocate Johnson. Please advise. Authorisation for Nkab stand-alone. Must it be done as a Section 28(13) or 28(1)?”

ADV SEGEELS-NCUBE: Just to confirm, at this stage there is not a referral or a section 27 referral?

ADV RAMSAMY: Correct.

20 **ADV SEGEELS-NCUBE**: Okay.

ADV RAMSAMY: I must just explain that in the meeting that I have just spoken about, where Mr White's report is being explained to Advocate Johnson, Mr Perumal had indicated that because there were already authorisations for those two matters, they can just proceed in terms of 28s.

PROSECUTOR: Without a section 27 referral?

ADV RAMSAMY: 28 referral.

ADV SEGEELS-NCUBE: And so now you are asking Advocate Johnson to advise you insofar as that is concerned?

ADV RAMSAMY: Because Mr Sesoko is saying, he had called and he had asked, has it been done? And I said, no, I have not received any instructions as to what it is supposed to be. And then I said to him, I will speak to the
10 ID. But by then, I am aware that Mr Bellochun and Mr Padayachee had already taken the devices from James Ramanjalum back to Mr White. So obviously those three had already continued or started where they left off with the investigation on that cell phone.

ADV BALOYI SC: Just to clear my understanding, the authorisation for the two other matters that Mr Perumal speaks of, what are those matters, the two matters? In fact, what is the authorisation in respect of those two?

ADV RAMSAMY: Oef... mmm...

20 **ADV BALOYI SC:** I guess what I am trying to clarify for myself is how Nkabinde fits into those authorisations to a point where it follows naturally out of those two others. So you would have to say the two matters are matters such and such and such and such. And then hopefully we see the link that makes it a valid response to say we already have

authorisation in the other two matters. We do not need one specific from Nkabinde.

ADV RAMSAMY: Can I answer it in this way, rather? I spoke earlier about the fact that certain matters of Mr Perumal that were placed on the court roll while Advocate Johnson was Head of Office, do not have authorisations. That is one of those matters. The other matter is a matter where it was referred to the ID when Advocate Cronje was there. There is a Constructive 28(13) and it is based on
10 testimony at the Zondo Commission.

ADV BALOYI SC: That implicates Mr Nkabinde?

ADV RAMSAMY: As far as I understood from the report, yes it does.

ADV BALOYI SC: Okay, thank you.

ADV SEGEELS-NCUBE: Okay, and then at 245, Advocate Johnson's response to your enquiry about the authorisation?

ADV RAMSAMY:

20 "Will check. We need to talk. Something terrible has happened. Whatever you do, do not discuss anything on Nkab with Mantsha. When you hear what I have to say, your heart will break."

It is initially 'breka' and then there is a 'break' underneath. This was at 13.55. I reply:

“I will not. We have been keeping that
between Mr S, myself, and Dylan.”

Dylan being Mr Perumal, Mr S being Mr Sesoko. She
replies:

“Do not talk to Mr S either. I have to
figure some things out. It is bad.”

I reply:

“I will not. I am worried now.”

ADV SEGEELS-NCUBE: And so then you meet with
10 Advocate Johnson.

ADV RAMSAMY: Correct.

ADV BALOYI SC: And Mantsha referred to here as Mr
Raphesu.

ADV RAMSAMY: Correct.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: And when do you meet with her?
Was it on the...

ADV RAMSAMY: I do not have my calendar with me, but it
would have been not more than a day or two later.

20 **ADV SEGEELS-NCUBE**: Okay. You may proceed. Do you
want to then look at your affidavit?

ADV RAMSAMY: Ja, I just want to put, the timeline was in
here, as poorly drafted as this affidavit is, it is here.

ADV SEGEELS-NCUBE: At 254, you speak about the 30th,
and then still on 254, 6.46 on the 31st of January.

ADV RAMSAMY: Yes.

ADV SEGEELS-NCUBE: So you would have met her the very next day. And just tell us what happens there. You do not have to read the affidavit.

ADV RAMSAMY: Advocate Johnson informs me that on the day before, on the 30th, that Mr Perumal and Mr Padayachee were in her office. And she explained that on the evening of the 29th, she had been receiving calls from Mr Nkabinde. She was unable to answer them. She had
10 indicated to me that she was at the temple, and so she could not answer the calls. She did send a text to him indicating she cannot talk, he must text.

And then on the 30th, in the presence of Mr Perumal and Mr Nkabinde, I mean Mr Perumal and Mr Padayachee, Mr Nkabinde called, and she answered, and she put him on speaker. And that he had informed her that he was informed by Mantsha Raphesu that there was an investigation into him at IDAC, and that she must be careful as Mr Sesoko uses Raphesu and Binang. This is what
20 Advocate Johnson is telling me Mr Nkabinde told her.

ADV SEGEELS-NCUBE: And Mr Nkabinde and Mr Sesoko have a history from IPID?

ADV RAMSAMY: I later found out, yes, they did. In fact, I found out the history while watching Ad Hoc Committee.

ADV SEGEELS-NCUBE: Oh, okay. And so when Advocate

Johnson said that Mr Nkabinde told her to be careful because Sesoko uses Raphesu and Binang, you did not understand why Mr Sesoko would use Mr Raphesu and Binang in relation to Mr Nkabinde?

ADV RAMSAMY: No, I did not.

ADV SEGEELS-NCUBE: Okay.

ADV RAMSAMY: I was shocked. I was confused. It was a lot of information overload in what Advocate Johnson was saying. And I asked the ID if an investigation had
10 commenced into the allegations by Mr Nkabinde against Mr Raphesu. And I asked her, is it not possible that someone else had told him? And then I repeated to her from the 22nd of January who was present in those meetings. And then I said to her, I did not tell Mr Raphesu. So is it possible that Mr Perumal or Mr Padayachee told him? Or Mr Sesoko or Mr Chabalala or maybe Mr Binang? And she said, no, no, no, I know, I know it was Raphesu. And so I left it at that.

ADV SEGEELS-NCUBE: In fact, at page 254 at 46.3 you say:

20 “I was shocked. I asked the ID if an investigation had commenced and I asked the ID if it could possibly be someone else, as Raphesu was not party to any discussions on the Nkabinde aspect except for the presentation on the 22nd of

January 2025. Raphesu was never part of any of the further meetings that took place after that. He would not have had any knowledge of what has transpired.”

ADV RAMSAMY: Correct, correct.

10 “The ID indicated that she has started the process and that Nkabinde was too clear in who he named. I left the ID's office, spoke briefly to Mr Perumal. We did not discuss the details of the situation, we merely expressed our shock and I asked him how could Raphesu know because I had excluded him from all the follow-up meetings after the presentation. On the 10th of February 2025, I was informed by the ID via WhatsApp that Mr Raphesu had been served with a letter. Further to the events above, no further discussions between the persons mentioned above, 20 nor any other person took place with me until receiving the call from Investigator Mbalo.”

ADV SEGEELS-NCUBE: So by the time you deposed to this affidavit, there is already an investigation into Mr Raphesu regarding Nkabinde allegations.

ADV RAMSAMY: Correct. In fact, when I... because the Commissioners will see that it is marked copy and Mr Mbalo signs on 248 on the top. So when I handed him the original, I asked that he sign my copy and date it. On that day, Mr Mbalo had indicated that Mr Nkabinde – I am not going to swear, so I am just going to say Mr Nkabinde had told Mr Mbalo to FO, he is not filing an affidavit and he did not say what... and that was the explanation. He did not say what. Because I did not want to get involved any
 10 further and I reached a point of depletion. I just left it at that.

But Mr Mbalo went on to say that I must not be fooled because the ID is aware that Mr Sesoko and Mr Binang has been protecting Nkabinde. And I found that strange because of the meeting and the presentation on the 22nd, but later on when I did have sight of Mr Mbalo's report, it was clear that that report was trying to, because they still had not even received an affidavit or a confirmation letter from Mr Nkabinde about the allegations.

20 And when I saw the report, Mr Mbalo... I must make it clear, it is very easy to see when you are working with people for so long who drafts who and what. You can pick up the style of drafting. That is not Mr Mbalo's drafting. It is just my opinion. But in that report, they are trying to implicate Mr Raphesu, Mr Sesoko and Mr Binang.

At some point, Advocate Johnson had spoken about the fact that Mr Raphesu had volunteered to do a polygraph and that that is easily dismissed and that he was guilty.

All of these things would be said in these meetings. So it was later on that I discovered what happened was on the 11th of April, I was complaining that I had not received 90 percent of the documents and Advocate Johnson wanted diversion enrolled. And so Mr Perumal had instructed Mr Padayachee to copy the diversion file onto a USB and give
10 it to me. Mr Padayachee had copied a lot of things and during the consultations and looking for affidavits and all of that, I came across Mr Perumal's affidavit.

And Mr Perumal's affidavit is very different to everything that I heard. It says that he had contacted Mr Nkabinde the night before and that Mr Nkabinde was an IDAC source or informer on the Crime Intelligence matters. And so the entire documentation that I saw is that Mr Nkabinde had contacted Advocate Johnson on the 30th. But in Mr Perumal's affidavit, it states that Advocate Johnson
20 contacted Mr Nkabinde and put him on speaker in the presence of Mr Perumal and Mr Padayachee.

ADV SEGEELS-NCUBE: As opposed to what Advocate Johnson told you?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And that is part of the

documentation that will still be included, Chair.

ADV RAMSAMY: Confirm.

ADV SEGEELS-NCUBE: So, in effect, what you were saying in this affidavit, by setting out the chronology and asking, basically saying it could not have been Mr Raphesu who leaked the information because he would not have been privy to the conversations. That is, your suspicion is then confirmed that it is someone else in Mr Perumal's affidavit that was not disclosed.

10 **ADV RAMSAMY:** Correct. I also had asked at some point, if Mr Raphesu was not involved in all the meetings, then it could only have been the four.

ADV SEGEELS-NCUBE: Including you.

ADV RAMSAMY: Yes, or including me, five, that informed Mr Raphesu or had informed Mr Nkabinde. But my suspicions were somewhat that... So I am going to deal with just a small snippet of what Mr Raphesu dealt with, with regards to his questioning. In January 2025, Mr Raphesu ...[intervenes]

20 **ADV SEGEELS-NCUBE:** You say his questioning, you mean before the Commission?

ADV RAMSAMY: Oh, his evidence before the Commission, I apologise, his evidence before the Commission. He indicated that he was asking a lot of questions and that he was removed from the Mokwele because of the questions on

the 204. If I can just shed light on what was happening at that time and explain why there was a need to remove Mr Raphesu, or my views on why they would want to remove Mr Raphesu.

I actually said it to Mr Sesoko and Advocate Johnson. I am too young to be juggling the egos and the arrogance of investigators. And investigators are very arrogant. They really are. They are stubborn and they are arrogant. So I had said that I am juggling. So there was
10 this fight that happened. And I agreed with Mr Raphesu on a legal perspective. You cannot start an investigation on a 204. Because what have you done?

The purpose of a section 204 witness is when you can get evidence no other way. But you cannot start with a 204 and then from the 204's submissions be guided on an investigation. And I will explain how that 204 aspect and my objections that I raised with Advocate Johnson in my statement. So there was a fight. And then there was... I can see it so clearly in my head, the point where Mr
20 Perumal was standing up and he did this – but I am your commander! – to Mr Raphesu, because Mr Raphesu was objecting to these things.

And so in order to facilitate this thing, I said, and I knew where the direction of Advocate Johnson was going to be if I took this to her. So I indicated to them, Mr Raphesu

has made great strides with Leg 1 on the Lushaba matter. And I had been receiving updates every day and an updated report every day. With regards to the Mokwele matter, I suggest that Mr Perumal and Mr Padayachee continue, so that we do not have this.

But they were still supposed to report everything to me so that I could report it to Advocate Johnson, which I was completely bypassed on. So in essence it was me that removed Mr Raphesu from the Mokwele. But the problem
 10 that started was Mr Raphesu, after I had left the meeting and the investigators were still discussing, Mr Perumal had told me after that Raphesu needs to get in line with how we work. And it is not only him, that if you stand up to Mr Perumal, I have explained what happens to you.

So in light of all of those things, in the back of my head, I doubted that these allegations, because it happened again, I think it was last year or sometime early this year, to another investigator that was allocated to Mr Perumal on the diversion matters, where he was placed with an email or
 20 letter saying that he must respond to allegations and they were the most ridiculous allegations I have ever read.

ADV SEGEELS-NCUBE: Okay. So we have now dealt with the context of how that statement came about. We can then go to the other aspect of the 22 January meetings.

ADV RAMSAMY: Okay.

ADV SEGEELS-NCUBE: We can go back to your statement, page 6, paragraph 15.

ADV RAMSAMY:

10 “Returning to the chronology on 22
January 2025, the meeting where Project
Diversion was discussed and the
presentation made to Advocate Johnson
was held. Advocate Johnson made her
own amendments to the presentation in
manuscript and handed a hard copy to the
team at the meeting. During this
presentation, I took notes as I usually do.
The presentation was explained to
Advocate Johnson mainly by Mr Perumal.
Before I deal with Advocate Johnson's
instructions following the presentation, it
is important for the Commissioners to bear
in mind that at this stage, the investigation
was in existence for six weeks, with no
20 activity for two weeks between the 19th of
December 2024 and 6 January 2025. Yes
...[intervenes]”

ADV BALOYI SC: What is the significance of those dates,
the 19th of December to 6 January?

ADV RAMSAMY: Between the 19th of December and the

6th of January, no investigations could have taken place. I was on leave. Mr Padayachee was out of the country. Mr Raphesu was on leave and Mr Perumal was acting as the Head of Investigations.

ADV BALOYI SC: Okay.

ADV SEGEELS-NCUBE: And the 19th of December was when you and Mr Raphesu and Mr Perumal had that meeting where you were discussing the confidential documentation?

ADV RAMSAMY: Correct.

10 **ADV SEGEELS-NCUBE:** And the 6th of January was when you go to Cape Town to meet with Mr Adams?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And what you want to convey here is that you are really dealing with a six-week-old investigation and the instructions that follow are too excessive or insofar as you are just at the infancy of an investigation.

ADV RAMSAMY: Correct. And we are at, to use your word, the infancy of a section 28(13). A 28(13) is to
20 determine if the veracity of the claims actually lead to a criminal investigation.

ADV SEGEELS-NCUBE: Which would be the 28(1)1.

ADV RAMSAMY: 1.

ADV SEGEELS-NCUBE: Okay. How I suggest we do this is we are going to flight your notes, redacted as you had

requested, and then you can read from your statement and if there is any aspect of the notes that we are unclear of that does not, is not clear from your summary of it in your statement, we will then just ask you. And, Commissioners, that will be 511 page 1. And if you, Commissioners, if you are going to engage the witness on the contents of her notes, to just first look on your screen what names have been redacted so you do not engage her on a redacted name, because your copies are not redacted. These are the
10 notes that we have Captain McLean to thank for, because you started taking detailed notes because he told you to be careful.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. So we are on page 1 of file 11, but for your purposes, page 7, paragraph 15.1, you say:

“Yet these were Advocate Johnson's instructions during the meeting, being the meeting of 22 January 2025.”

20 You can also just keep page 1 of your notes open.

ADV RAMSAMY: Got it.

ADV SEGEELS-NCUBE: And then if you can tell us on that note before you read out, there is the date. You will see the date there, but above the date, there is certain words there that I cannot see. I cannot make out what it is. Can

you just tell us what it is because it is not dealt with in your statement. So just above the date. I see some related slash relationships.

ADV RAMSAMY: It says:

“Related / relationships to the General's income.”

ADV SEGEELS-NCUBE: The General's income?

ADV RAMSAMY: For...

ADV SEGEELS-NCUBE: Is that B Cele?

10 **ADV RAMSAMY:** It is B Cele.

“Police = police contract equal SAPS tender, Tembisa Hospital.”

ADV SEGEELS-NCUBE: Okay. And we get to that later in your summary.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And then it was at 12 o'clock. That is the time that the meeting started?

ADV RAMSAMY: Correct. And that is the boardroom in the Linsen [?] House.

20 **ADV SEGEELS-NCUBE:** Okay. And subject: Meeting ID.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. You may proceed in your statement.

ADV RAMSAMY: Thank you.

“Yet these are Advocate Johnson's

instructions during the meeting: Brigadier Tom Moyane, a member of Crime Intelligence, must be served with a 28 to be interviewed, and he must be put through the paces. Advocate Johnson said that she would do this interview in person and bring out the prosecutor in her. The Crime Intelligence matters ...[intervenes]”

10 **ADV BALOYI SC:** Who is Brigadier Tom Moyane, and why are you putting him through his paces relating to these matters?

ADV RAMSAMY: Commissioner, I myself did not even know what was going on, who this person was. It was Mr Raphesu who whispered Crime Intelligence, because I asked him. But like I said, during the entire proceedings of this meeting, there was an underlying understanding between Advocate Johnson, Mr Perumal, and Mr Padayachee, whereas we, Mr Sesoko, Mr Raphesu, and I
20 were playing catch-up.

ADV BALOYI SC: The name Tom Moyane came from, Brigadier?

ADV RAMSAMY: Brigadier Moyane.

ADV BALOYI SC: This name came from Ms Johnson.

ADV RAMSAMY: Correct.

ADV BALOYI SC: In your meeting.

ADV RAMSAMY: In the meeting, but if you look at the 28(13), one of the unexplained names is also a Brigadier Moyane.

ADV BALOYI SC: Yes, thank you.

ADV SEGEELS-NCUBE: And you have it as Moyane in your notes, but in your statement it is Moyana. I think you made the correction in your statement, it is Moyana.

ADV RAMSAMY: Correct, Moyana.

10 **ADV SEGEELS-NCUBE:** But of course you are getting this, you are writing...

ADV RAMSAMY: I am writing as Advocate Johnson is speaking.

ADV SEGEELS-NCUBE: Ja, we will forgive you for that.

ADV RAMSAMY: Thank you.

20 “The Crime Intelligence matters were to be ring-fenced as follows. The Madondo matter would be first regarding her unlawful appointment. Advocate Johnson said that ...[intervenes]”

ADV SEGEELS-NCUBE: Please do not read that name here.

ADV RAMSAMY: Thank you.

“...an employee at Crime Intelligence is a possible section 204 witness. This was

said a mere six weeks into the investigation.”

ADV BALOYI SC: Ms Ncube, sorry, why is the name not to be mentioned?

ADV SEGEELS-NCUBE: It is...

ADV BALOYI SC: It is in our statements.

ADV SEGEELS-NCUBE: It was a potential 204 witness, and it is redacted in the statement and in her notes. The witness asked, Ms Ramsamy asked for the witness, it is the
10 person's surname, that word is the person's surname.

ADV BALOYI SC: And the reason it is not to be mentioned is because they are potential, they were a potential 204 witness.

ADV RAMSAMY: Commissioner, I had asked and explained to Advocate Ncube that these are Crime Intelligence officers. I do not feel comfortable. I mean, the Commissioners have had sites, and they are aware. But I do not feel comfortable naming them for various reasons. And also because I do not understand what specific role
20 they play at Crime Intelligence. I could be potentially putting them in danger. So I had asked not to mention the names.

ADV BALOYI SC: Now, I understand when you say it is because it is a potential 204 witness. I just needed to understand why we mentioned Mr Moyane, Brigadier Tom

Moyane by name, and then another Crime Intelligence officer we do not mention. So it is sufficient when you say he was potentially a section 204 witness.

ADV RAMSAMY: Thank you.

ADV SEGEELS-NCUBE: And Moyane is mentioned in the application for investigation?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: As a suspect?

ADV RAMSAMY: Correct.

10 “The Lushaba housebreaking matter would
be second. Advocate Johnson justified
IDAC's mandate by stating that there was
not a housebreaking matter but a
defeating the ends of justice case and
perjury. She said the matter must proceed
by contacting the commander. I am still
uncertain as to which commander she was
referring to. But Mr Perumal seemed to
understand. She instructed that a section
20 28 summons be issued to Tracker, to trace
the movements of Mr Lushaba's vehicle,
and that Major General Feroz Khan should
be contacted for the details of Hudson,
who had later been added to the 28(1).
Advocate Johnson also stated that

‘Witness’ is a possible witness.”

ADV SEGEELS-NCUBE: Yes, proceed.

ADV RAMSAMY:

10 “Hotel accommodation matter and other
 expenses would be next. She mentioned
 properties and purchases being made for
 the Political Task Force / Team. She said
 we should also look into the Political
 Killings Task Team's protection regarding
 Mr Ian Cameron, being the chair of the
 Police Portfolio Committee and a Member
 of Parliament, a politician linked to the
 DA.”

ADV SEGEELS-NCUBE: Can we just, that is on page 6 of
the notes, of the handwritten notes.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: It is earlier and again linked to.

ADV RAMSAMY: Thank you.

20 “I do not recall if she said the PKTT was
 providing protection for Mr Cameron or
 whether Mr Cameron was protecting the
 PKTT. I would think the former, but I do
 not remember the specifics and my notes
 do not assist me in recalling this aspect.
 In respect of properties being purchased

with COVID funds from the SSA, Advocate Johnson said that we would look at DivCom of CI, General Khumalo, General Lushaba, and General Madondo. Advocate Johnson also said that we must look for a link between the SSA and the Tembisa contract, which I later became aware was in fact the Medicare 24 contract.”

10 **ADV SEGEELS-NCUBE**: And if we can just look at your notes, that appears under number 4 on page 2. So you have circled the numbers 1, 2, 3, 4. On page 2 we have got 3, which says hotel accommodation, and then 4 we have got properties, COVID funds, Tembisa contract.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: At that stage you had no idea that it related to the Medicare 24 contract.

ADV RAMSAMY: I only became aware in May.

ADV SEGEELS-NCUBE: Do you know why Advocate
20 Johnson referred to it as the Tembisa contract? SAPS contract, Tembisa contract.

ADV RAMSAMY: I am not sure if she was confusing the contracts or she was using the code names to not openly state what it was, like the names of the projects.

ADV SEGEELS-NCUBE: Okay, if I can just take you back

to page 1 where, you know, there near the date where you have in that block:

“Police contract = for SAPS tender
Tembisa Hospital.”

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Is that the same Tembisa contract that you are referring to under item 4 on page 2?

ADV RAMSAMY: Correct, because it was emphasised that when we were investigating the – if I may just – so when we
10 are investigating the properties and the COVID funds, we must investigate, and it was repeated quite a bit, that we must investigate whether there is a link between that and the Tembisa Hospital contract, which I became aware was the Medicare 24.

ADV BALOYI SC: To your knowledge, at the time of these instructions, had IDAC received a referral relating to the Medicare 24 contract as at date of these instructions?

ADV RAMSAMY: I can confirm that at that time there was no referral.

20 **ADV BALOYI SC:** Thank you.

ADV SEGEELS-NCUBE: 15.2.6?

ADV RAMSAMY:

“Contracts issued would be another leg of
the investigation.”

15.2.7:

“The PKTT would be a separate leg of investigation.”

Paragraph 16:

“After she set out the various investigations, Advocate Johnson said that we were to investigate corruption, PFMA violations, and the Secret Service account. Mr Sesoko was tasked with arranging a meeting with the IGI, which
10 did occur. Advocate Johnson then stated that in respect of the purchase of properties in the name of Mabusela and Colonel Masingi, the lady from ActionSA, whose name appears on the presentation, Ms Dareleen...”

Am I saying it correct?

ADV SEGEELS-NCUBE: Dareleen.

ADV RAMSAMY:

“...Dareleen James ...[intervenes]”

20 **ADV SEGEELS-NCUBE**: Can we just step back before you go, because you are going a page ahead of us. On page 2, at the foot of page 2, where you say in your paragraph, where you say at 16:

“Advocate Johnson said that we are investigating corruption, PFMA violations,

and the Secret Service account.”

That is with reference to page 2 of your notes when you say:

“What are we investigation?

Corruption, PFMA, Secret Fund account.”

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And then you refer to a meeting, what is that, with Office of the IG, Mr Sesoko. What was Mr Sesoko supposed to meet the Office of the IG about?

10 **ADV RAMSAMY:** Mr Sesoko was to facilitate arranging a meeting with the IGI. I only later became aware on the 23rd of January that the IGI was investigating these properties and the purchases using the COVID funds, et cetera. And the meeting did take place, and I will explain it a bit later.

ADV SEGEELS-NCUBE: Will you also explain how you came to know of that?

ADV RAMSAMY: All these notes are from what Advocate Johnson was instructing us must be done. So Advocate Johnson had indicated that the IGI has information and that
20 a meeting must be arranged.

ADV SEGEELS-NCUBE: Okay.

ADV BALOYI SC: I thought Ms Ncube is asking you, how do you know that the meeting occurred? Oh, if that is not what she was asking, that is my question.

ADV RAMSAMY: The meeting of the IGI? I was present.

ADV BALOYI SC: Okay. Thank you.

ADV SEGEELS-NCUBE: That is one way of dealing with it. Okay, so then you can go to the lady from ActionSA. Now, you in your notes on page 3, you have dealt with houses, properties, Mabusela's name, Colonel Masingi. Then you have got two properties, 28 million, 48 million. And then you have a sort of a bracket, and you have got ActionSA Lady coming for? Coming for this, coming for?

ADV RAMSAMY: For this.

10 **ADV SEGEELS-NCUBE:** Okay, so the ActionSA Lady is going to speak to this.

ADV RAMSAMY: From what I was told by Mr Perumal, and as per the presentation.

ADV SEGEELS-NCUBE: On page 227. So you will have to open file 10, page 227. My apologies. Which is post-authorisation activities. Do you have it?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: That is post-authorisation activities. This is the presentation, Mr Perumal's portion of
20 the presentation on the 22nd of January. And the first bullet point. You can read it into the record and explain to us what was discussed in the meeting about this aspect.

ADV RAMSAMY:

“On the 15th of January 2025, the MP contacted Chief Perumal and advised that

another MP, Ms James from ActionSA,
was intending to meet with the ED IPID on
Monday 20th January 2025.”

ADV BALOYI SC: And the first MP here is Mr Adams still.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Continue.

ADV RAMSAMY:

10 “He advised that her intention was to open
a case and to request IPID to conduct
investigations regarding the two properties
that were purchased using CI COVID
funds. Mr Perumal, after being provided
with her contact details, contacted her and
advised her that IDAC has already
undertaken to investigate same.”

ADV SEGEELS-NCUBE: And then the next page, 228.

ADV RAMSAMY:

“The MP then undertook to come to IDAC
offices ...[intervenes]”

20 **ADV SEGEELS-NCUBE:** Now, when you say MP here, you
are referring now to Ms James.

ADV RAMSAMY: Ms James.

ADV SEGEELS-NCUBE: Well, not you, but Mr Perumal.

ADV RAMSAMY: Mr Perumal, correct.

“The MP then undertook to come to IDAC

offices on Monday 20th January 2025 with her draft affidavit and evidence and to conclude, same with IDAC investigators. Her affidavit and documentary evidence will be filed in the case docket, which focusses on the abuse of COVID funds. Further investigations and interviews will be conducted.”

Must I read the last one as well?

10 **ADV SEGEELS-NCUBE**: Yes, you may.

ADV RAMSAMY:

“The designated team has been activated, briefed, and deployed from 20 January 2025 to the 31st of January 2025 to finalise all outstanding evidential material on matters.”

ADV SEGEELS-NCUBE: Why did you laugh when you read that?

20 **ADV RAMSAMY**: I was just remembering how the briefing and the instruction, or the, what was the word? It was briefed and deployed. It was rather instructed and screamed at.

ADV SEGEELS-NCUBE: Okay. So, that is where, so when you say in your note on page 3 of file 10, the ActionSA lady coming for this, it is referring to that, that is set out in the

presentation.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And was there any further information? Did you know what evidence, documentary evidence she had and where she had obtained that evidence?

ADV RAMSAMY: I was informed in the meeting that Ms James also received an envelope under the door with top secret documentation and confidential documents and
10 information about these things.

ADV SEGEELS-NCUBE: An information note.

ADV RAMSAMY: And an information note, ja.

ADV SEGEELS-NCUBE: And the documentary evidence that she had received that was also slipped under her door related to this aspect only or was there something else that it related to as well?

ADV RAMSAMY: If I may just clarify, Ms James never came to IDAC. She did not, I was asked to wait until at least, I think it was half past five or six o'clock. And then I
20 went home, showered, and then I had to come back for the forklift witness. So, she did not answer Mr Perumal's calls and she did not come through. But later on, if I am not mistaken, it was somewhere in February or early March...

ADV SEGEELS-NCUBE: Yes, that is also some of the documentation that must still be disclosed.

ADV RAMSAMY: Yes. Mr Perumal sends me a WhatsApp. It is a very concerning WhatsApp because it is marked top secret on the top and it is the security risk and assessment of Mr Ian Cameron. The message below that, and it is both pages that were sent to me via WhatsApp. And second paragraph or the typed paragraph on that is, it makes sense why the ActionSA lady did not come. I am paraphrasing because I do not have it in front of me.

ADV SEGEELS-NCUBE: Yes. We will deal with this
10 aspect in full, Chair, once the documentation is available
and I can foresee that there is potentially a further
statement that will be required. But for now, we can just
deal with it on this level because there are some serious
aspects flowing from that as well that we need to explore.
But for now, we are just dealing with what the briefing was
and that there was potentially a witness, a further witness
that was going to provide that information. Was Ms James
going to, was the intention that she was going to be a
witness or that she was also going to do a section 27
20 affidavit or would it form part of this?

ADV RAMSAMY: From the presentation, it is clear that Mr Perumal had indicated or had intended on filing her affidavit and her documents in the existing Fadiel Adams dockets and she would then become a witness.

ADV SEGEELS-NCUBE: Okay.

ADV BALOYI SC: Did she ever file an affidavit, Ms James?

ADV RAMSAMY: Not with IDAC.

ADV SEGEELS-NCUBE: Do you know if she filed with IPID?

ADV RAMSAMY: I was informed later that she did in fact choose to go to IPID versus IDAC.

ADV SEGEELS-NCUBE: That was part of the WhatsApp that Mr Perumal sent you to say this is why she did not
10 come to us or something like that.

ADV RAMSAMY: Correct, yes.

ADV SEGEELS-NCUBE: And did Mr Perumal say where he got that information from, the top secret information from?

ADV RAMSAMY: No, he did not indicate. And at that point of our relationship or working relationship, there was a lot of, I was being excluded from a lot of information.

ADV SEGEELS-NCUBE: Okay. Can we then go back to your notes and we can deal with paragraph 17 of your statement on page 9. And in your notes, I think we are now
20 still on page 3 of file 11.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Continue, paragraph 17.

ADV RAMSAMY:

“No stone was left unturned during this meeting. Mr Perumal said that we must

investigate the procurement of furniture and that there were seven Constables who were given the contracts for the procurement of the furniture. Advocate Johnson also gave instructions that the vetting files were to be subpoenaed in terms of section 28.”

ADV SEGEELS-NCUBE: Sorry, Commissioners, we are now on page 4 of the notes of file 11. And it is, you can
10 continue. Still paragraph 17. Advocate Johnson...

ADV RAMSAMY:

“Advocate Johnson then provided...”

No sorry;

“She told investigators to go and talk to Khan first, because he was on leave and the section 28 must be served on him so that he can consult with the team. Advocate Johnson then provided General Khan's private cell phone number. The
20 way I understood the instruction was that the section 28 summonses must be served on General Khan.

But before doing so, he had to be consulted first to make sure that he was available to assist as opposed to him

being on leave when the summonses are served on him. Advocate Johnson also indicated that there was a female in Vetting. The name provided was Ncube, who may be willing to talk. And the name of an attorney, Mr Ian Smallsmith, was provided. I cannot remember why the name was important enough to note at the time. Mr Perumal advised that all
 10 ...[intervenes]”

ADV BALOYI SC: Before you proceed, at this point of things, did you know anything, if at all, about the nature of the relationship between Advocate Johnson and Mr Khan?

ADV RAMSAMY: No.

ADV BALOYI SC: You did not know anything at all?

ADV RAMSAMY: No.

ADV BALOYI SC: That they even talked to each other?

ADV RAMSAMY: I was aware that Advocate Johnson's husband works at Crime Intel. No, I am lying under oath
 20 now, I apologise.

ADV BALOYI SC: You are mistaken.

ADV RAMSAMY: I am mistaken. [Laughter] With the General Khan thing, like I alluded to in statement 1, I was aware of the docket situation and the information being sent by Advocate Johnson to General Khan where he was a

suspect.

ADV BALOYI SC: This is the assault case?

ADV RAMSAMY: The assault case, yes. So I was aware that there was, and I also knew that Advocate Johnson's husband and General Khan worked in the same office.

ADV BALOYI SC: As much as you knew.

ADV RAMSAMY: That is as much as I knew.

ADV BALOYI SC: Thank you.

ADV KHUMALO SC: Ms Ncube, is there any reason why
10 the statement is no longer being displayed?

ADV SEGEELS-NCUBE: Sorry, which statement?

ADV KHUMALO SC: So, as the witness was reading paragraph 17, it was not displayed.

ADV SEGEELS-NCUBE: Yes, I indicated that we are displaying the notes, the witness's notes, because she is speaking to the notes, she is summarising her notes and not the statement, so we cannot display both. So it is better to display the notes, so that we can follow how she is interpreting the notes. Unless we take the notes down and
20 show her statement, but I thought it would be better to do it this way because this is the actual evidence that she is producing.

ADV KHUMALO SC: It is a bit difficult because we have the notes, we can read them from our files, but the other people in the room do not have the notes and the

statement. So them looking at the notes without the statement is a bit complicated, so maybe you decide which is easier.

ADV SEGEELS-NCUBE: I do not know, I will take guidance from the Commissioners, because she is reading what the notes say, so I thought that would be the easier way. Otherwise, the public do not see the notes if we display the statement, which she is reading in any event. But I will be guided by the Commissioners because it is
10 going to be a lengthy exercise.

ADV KHUMALO SC: It is too small, so the side-by-side will not work. No, no, let us continue with what you...

ADV SEGEELS-NCUBE: So we should display the statement instead. The notes. Which?

CHAIRPERSON: The notes, the notes.

ADV SEGEELS-NCUBE: Thank you. Chair, there was an indication that we would try and see if we can do the split screen later after.

CHAIRPERSON: Thank you.

20 **ADV SEGEELS-NCUBE:** Thank you. Then paragraph 18 of your statement.

ADV RAMSAMY:

“Mr Perumal advised that all section 28 summonses would be served in that week, being the week of the 22nd of January

2025. Mr Perumal indicated that the statement of Miriam, a member of Crime Intelligence Vetting component...”

I am able to mention this name because she filed an affidavit and it has been disclosed.

“...was almost complete. Advocate Johnson stated that lifestyle audits must be conducted on General Lushaba and General Khumalo, as well as FIC applications to determine overseas travel. Advocate Johnson advised that the assets of the PKTT should be profiled.”

ADV SEGEELS-NCUBE: Okay, just pause that.

ADV BALOYI SC: Why, does she explain why you are looking at lifestyles and overseas travel? I mean, the allegations arising from Mr Adams' 27, which is the basis of the presentation, right? So everyone is on the same page. We are working off that document. What arising from that section 27 gets you to overseas travel and lifestyle? Was there an obvious link explained?

ADV RAMSAMY: Nothing. I do state in my statement that it became concerning to me why these instructions were being issued, but more so, I later on state or explain why I could not understand where Advocate Johnson was getting this information from, to be so detailed in the instructions

and what we were supposed to do during this investigation.

ADV SEGEELS-NCUBE: Thank you. Before you continue with paragraph 19, we are now, Commissioners, on page 5 of the notes, file 11. Continue at paragraph 19.

ADV RAMSAMY:

10 “Advocate Johnson said that the National Commissioner, General Masemola, should not be informed of the investigation. She said the National Commissioner would appear at the Portfolio Committee on Policing soon, and we should let him lie at the Portfolio Committee.”

I assume this was because IDAC was engaged in discussions with the members of the Portfolio Committee on Policing who would know about certain aspects of the investigation. General Masemola, unaware of the investigations, would then presumably be caught in a lie.

20 **ADV SEGEELS-NCUBE:** Okay. Can I just ask you, so when the committee members, the members of the Portfolio Committee on Policing that we know so far would be Mr Adams, Ms James, and Mr Cameron?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And I just want to refer you to page 2820, which is in file 7, which is an affidavit by Mr Ian Cameron. You will let me know once you have it. Page

2820.

ADV RAMSAMY: Thank you.

ADV SEGEELS-NCUBE: It is an affidavit by Mr Ian Cameron, and if you go to page 2820, it was deposed and commissioned on the 9th of April 2025 in Cape Town by Mr Brian Padayachee.

ADV RAMSAMY: Confirm.

ADV SEGEELS-NCUBE: Okay. And just to give context, Mr Cameron says at page 2820 that, at paragraph 4:

10 “I together with members of my committee
 are primarily responsible for oversight to
 ensure effective law enforcement within
 SAPS.”

And then at 5, he says:

 “As chairperson, I convened a Portfolio
 Committee meeting on Wednesday, online
 with members of the committee, senior
 managers from the Office of the Minister
 of Police and senior management of the
20 SAPS, led by General Fannie Masemola.”

And he sets out certain events in there, but then I want you to go to 2821, paragraph 8. He says:

 “Some committee members were not
 satisfied with the SAPS management
 responses. However, in the absence of

factual evidence, I intervened and closed the agenda point and moved to the next item on the agenda.”

Then at paragraph 10, which should actually be paragraph 9, importantly, he says:

10 “I suspect that the senior management of the SAPS, led by General Masemola, misled the Portfolio Committee in answer to several questions posed to them. To confirm exactly where the committee was misled, it will be prudent for the committee's recording of the meeting to be compared with the evidence available in the relevant Crime Intelligence files.”

So from what he seems to be saying in here is that General Masemola and whoever was in that committee meeting from SAPS had effectively misled, lied to the committee. And we know now from your notes on page 5 at file 11 that Advocate Johnson said, you must not tell the National
20 Commissioner about the investigation. Let him lie to the committee. He will be caught in a lie. And Mr Cameron was one of the committee members who was engaging with IDAC at the time and knew that there was an investigation at the time. Correct?

ADV RAMSAMY: From this affidavit and from the notes,

correct.

ADV SEGEELS-NCUBE: Thank you.

ADV BALOYI SC: Ms Ncube, you should read paragraph 7 because it gives a context to 8. Sorry if you had already read it. I might have missed it.

ADV SEGEELS-NCUBE: Paragraph 7 of that same 2821.

10 “There have been several media press releases and on social digital platforms where allegations of corruption within the Crime Intelligence Division have surfaced. The committee was therefore focused on addressing some of these allegations as will be evident from the minutes.”

So it was about Crime Intelligence that General Masemola was being pulled to that Committee on Policing. Advocate Johnson knew that in January 2025 when she has that briefing session, because she says he will be appearing at the Portfolio Committee on Police soon. Correct?

20 **ADV RAMSAMY**: Correct. It is also later made reference to in 2 July, the memo that I will be addressing or speaking about with regards to this.

ADV SEGEELS-NCUBE: Yes. The 2 July memo relating to the arrest of General Masemola and General Khumalo.

ADV RAMSAMY: Yes, correct.

ADV SEGEELS-NCUBE: That you prepared a

memorandum on which we will get to that.

ADV RAMSAMY: Yes.

ADV SEGEELS-NCUBE: Thank you.

ADV KHUMALO SC: But can we say for sure that the discussion with Advocate Johnson related to this Portfolio Committee meeting? Because this meeting is in April and that discussion is taking place 3 months prior. Now, we know from evidence that there were other Portfolio Committee meetings. The one in March, for example, where
10 the name of Mr Brian Mogotsi was mentioned for the first time and I do not know how many others. So, can we say for certain that the discussion in paragraph 19 of your statement was related to the Portfolio Committee meeting in April?

ADV SEGEELS-NCUBE: Commissioner Khumalo, we will look into that. But this was specifically in relation to Crime Intelligence, this Portfolio Committee meeting on policing. So, we will look at the others to see whether those also related to Crime Intelligence.

20 **ADV KHUMALO SC:** Because it says here he will be appearing soon. Now, I do not take soon to mean 2 or 3 months from now. That is really my difficulty.

ADV SEGEELS-NCUBE: Okay. We will have a look into that. Okay, you can continue.

ADV BALOYI SC: Sorry, Ms Ncube, maybe for

completeness on this Ian Cameron affidavit, we should point out that Mr Cameron does not say in what respect did the SAPS team lie or is suspected to have lied.

ADV SEGEELS-NCUBE: Correct.

ADV BALOYI SC: That is correct?

ADV SEGEELS-NCUBE: That is correct.

ADV BALOYI SC: He does not provide any particulars.

ADV RAMSAMY: May I offer an observation from...

ADV BALOYI SC: Yes, please.

10 **ADV RAMSAMY**: Because of the matters and the way they were being dealt with, it would honestly have been at the time where General Masemola would have been questioned on the vetting and security clearance of Ms Madondo and Mr Khan, at the point where he says that it had been sent to SSA. So, in line of that, but it could be many more.

ADV BALOYI SC: Okay, thank you.

ADV SEGEELS-NCUBE: Thank you. Do you then want to go to still page 10, paragraph 20 of your statement?

ADV RAMSAMY:

20 “Thereafter, Advocate Johnson relayed an
 incident that occurred ...[intervenes]”

ADV SEGEELS-NCUBE: Sorry, just before that, there is on your note, but you do not deal with it in your statement. On page 5, after the ‘let him lie’, and then there is an IGI, there is a block that has the IGI. Can you tell us what that note

was about?

ADV RAMSAMY: With regards to this, as far as I can remember, it was the... Advocate Johnson was explaining that we must go and have a discussion and see if we can have an agreement to share information with the IGI. And at some point, someone said that IGI cannot give us their reports, because they are confidential or top secret and designated for specific, either the President or the Minister. And there was an intelligence file, I do not understand I
10 must control part. I will have to just think about it, it will come back to me. But this whole thing was about the meeting with IGI and trying to get the information from IGI.

ADV SEGEELS-NCUBE: And when you say I must control, is that what Edward Johnson is saying in the meeting, I must control? Or are you making a note for yourself that you must control?

ADV RAMSAMY: No, if it was a side note, I make a little circle or a bubble above it. But if it is just like this, then it is instructions from Advocate Johnson.

20 **ADV SEGEELS-NCUBE:** Okay.

ADV BALOYI SC: Before you leave your note at page 5, did Advocate Johnson say why the National Commissioner should be left to lie? What was the plan, the idea behind let him go lie to Parliament and then what?

ADV RAMSAMY: Like I said in statement 1,

Commissioners, it looked and obviously became evident that there was a line of march and that line of march was to get General Khumalo and General Masemola in an accused box. And so obviously – at some point there was talk about if he lies at Portfolio Committee, but this is well after. I think this is in February or March, and this was just between Padayachee and myself and Mr Perumal, where if he lies, we can at least charge him for perjury.

ADV BALOYI SC: He would have lied to a committee of
10 Parliament, which in itself is an offence.

ADV KHUMALO SC: So the plan was to set him up?

ADV RAMSAMY: In a sense it was, that was the instructions. Do not tell him, let him go and lie.

ADV BALOYI SC: So that he can be arrested and charged.

ADV RAMSAMY: Correct.

ADV BALOYI SC: And be presented to Court.

ADV RAMSAMY: Correct.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: Okay. Then back to your
20 statement.

ADV RAMSAMY:

“Thereafter, Advocate Johnson relayed an incident that occurred when she attended the Minister of Police’s residence for a meeting either a day or two before the

22nd of January 2025 meeting. I will deal with this under the investigation of Mr Nkabinde. Suffice to state that for present purposes, that I do not know what was discussed with the Minister during the meeting, because Advocate Johnson did not elaborate.

10 As part of the presentation for my evidence before the Commission, I note that according to Major General Charity Mmatlala Matlou, in an affidavit dated 6 June 2025, Minister Mcunu referred the Medicare 24 to the SAPS Internal Audit Risk and Integrity Management on 9 January 2025. I do not know if this is coincidence that on the 22nd of January 2025, after meeting with the Minister, Advocate Johnson referred to the Medicare 24 contract, albeit as a SAPS
20 Tembisa contract at the time, for the first time.

At this stage, there is no section 27 referral or section 28 investigation regarding the Medicare contract. On the 23rd of January 2025, Mr Perumal and Mr

Padayachee gave feedback on the consultation held with General Khan. Present during that session was Mr Padayachee, Mr Perumal, Mr Raphesu, and me. Once again, this consultation with Khan was done without my knowledge. They informed us that General Khan told them that General Khumalo did not have top-secret clearance.

According to General Khan, notwithstanding the absence of top-secret clearance, General Madondo had called General Khan and told him to give the new DivCom CI ...[intervenes]”

ADV KHUMALO SC: General Masemola.

ADV RAMSAMY: Sorry.

“...General Masemola had called General Khan and told him to give the new DivCom CI General Khumalo supports and that he, General Khan, should follow up on the vetting process of General Khumalo. Mr Perumal seems to think that this was compelling evidence of wrongdoing on the part of General Masemola.”

ADV SEGEELS-NCUBE: Thank you, I do not want to go back to your notes, but Chair, I see it is 12.59, might this be a convenient time?

CHAIRPERSON: Let us adjourn and resume at 2 p.m.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Yes, Ms Segeels-Ncube.

MS SEGEELS-NCUBE: Thank you, Chair. Ms Ramsamy, we were still ...[intervenes].

10 **CHAIRPERSON:** Oh, I am very sorry. I am very, let me remind Commissioner Baloyi, she wanted to ask a question here.

ADV BALOYI SC: Ms Ramsamy, you were speaking in paragraph 20 about, you made reference to a meeting of the Minister and Ms Johnson. And what I wanted to ask you is, Ms Johnson has testified to two meetings with the Minister. You speak of two meetings. And in her, according to her, there was a first meeting, which was a meet and greet. It did not last long. The Minister wanted to know about IDAC.

20 how it works.

And then the second meeting, it was her and I think it is General Lebeya, and it was about a matter and she did not stay long in that meeting. She said, I do not report to you, Minister, I report to a different Minister. I do not deal with these matters. I am leaving. And Lebeya, General

Lebeya said, I will deal with it and she left and she does not know what happened there. Do you know anything about those two meetings?

MS RAMSAMY: No.

ADV BALOYI SC: You never heard about them?

MS RAMSAMY: No, I did not know any of those.

ADV BALOYI SC: She never reported she had a meet and greet with the Minister?

MS RAMSAMY: No, there was, the impression I got from
10 when she was explaining the meeting on the 21st was that it was not the first meeting of this nature. But those two meetings, I do not confirm or deny.

ADV BALOYI SC: You know nothing about.

MS RAMSAMY: Ja.

ADV BALOYI SC: All right, thank you.

ADV KHUMALO SC: So you know of at least three meetings, because you say during the discussion of the 22nd, she told you about the meeting of the 21st, and it was not the first meeting. So it was possibly a second.

20 **MS RAMSAMY:** Second, third, fourth, I cannot comment.

ADV KHUMALO SC: Let us stick to a second, because we do not know how many. And then the other one you are aware of is the one of the 23rd.

MS RAMSAMY: Correct.

ADV KHUMALO SC: So at least three meetings.

MS RAMSAMY: Confirmed.

MS SEGEELS-NCUBE: Thank you.

CHAIRPERSON: Sorry, Ms Segeels-Ncube. Besides the statement file and the handwritten notes, I have file 7, file 10, Mr Raphesu's statement file. It is quite a clutter in front of ...[intervenes].

MS SEGEELS-NCUBE: You can put Mr Raphesu's file away, Chair.

CHAIRPERSON: Only that, only that one?

10 **MS RAMSAMY:** Yes, we are dealing with the file notes and then file 10, 11 and the statement file.

CHAIRPERSON: All right, all right, thank you.

MS SEGEELS-NCUBE: On file, in file 11, page 6, just before you deal with, you have already dealt with the events of the 23rd, but we have not completed your file notes in so far as the 22nd is concerned. And if you go to 5, 5 was the page where you made a note about the National Commissioner and let him lie. And then on 6, there is a February 2018, what is, can you just take us, so you do not
20 deal with it in your statement, so if you can just tell us what it is that you were recording here, what your notes say.

MS RAMSAMY: PKTT was formed in February 2018 and that there was a link to Ian Cameron, DA, and this was in relation to what Advocate Johnson was stating.

MS SEGEELS-NCUBE: Okay.

MS RAMSAMY: And it stems from not the IGI notes, but it stems from the Action SA lady, as she was called in the meeting.

MS SEGEELS-NCUBE: Okay. And then in the block on page 6, you have Sibiya. What were you recording here?

MS RAMSAMY: It must be noted that this is General Sibiya. And we were told to speak to, in the third block there is a name of a person or the third name is an investigator in IDAC. The reason I asked that it be
10 redacted is because he has one specific matter and if I say that name, the other name, the second name that follows would be. So we were to discuss with that investigating officer the second name and the link to General Sibiya.

ADV BALOYI SC: Without mentioning the name, the second name, is it someone in the SAPS? Is it someone outside?

MS RAMSAMY: It is a member of, or former member of Crime, a high-ranking, Crime Intelligence.

ADV BALOYI SC: So you were supposed to establish a
20 link ...[intervenes].

MS RAMSAMY: Between that person ...[intervenes].

ADV BALOYI SC: ... and General Sibiya.

MS RAMSAMY: Correct.

ADV BALOYI SC: Okay.

MS SEGEELS-NCUBE: But did Advocate Johnson say

where this, why you had to do this? This does not seem to come from any of Mr Adams' complaints which gave rise to Project Diversion.

MS RAMSAMY: No, Advocate, like I said, and I think I am saying it now for the third or fourth time, this is one of the main reasons for my unease. I did not know where this information that Advocate Johnson was relaying to us is coming from. And I did not understand how it was linked to the 27 referral. And my greater concern was who was
10 giving Advocate Johnson this information to direct the investigation in this manner?

MS SEGEELS-NCUBE: Did you have a suspicion as to who it was?

MS RAMSAMY: I did, because of the meeting that evening, I suspected that this was, and because Advocate Johnson said that Minister Mchunu wanted to clean up SAPS Crime Intelligence, I would, well, I assumed that there were conversations happening with regards to the greater scheme of things.

20 **MS SEGEELS-NCUBE**: So you suspected Advocate Johnson was getting this information from Minister Mchunu?

MS RAMSAMY: That as well as the fact that her husband worked in Crime Intelligence.

MS SEGEELS-NCUBE: Okay. Now, insofar as General Sibiya is concerned, you have reference there to through 28

and National Commissioner. What was to happen there?

MS RAMSAMY: The 28 was supposed to be sent to the National Commissioner for the personnel file of General Sibiya.

MS SEGEELS-NCUBE: Okay, for General Sibiya's personnel file, okay.

ADV BALOYI SC: From this it sounds like General Sibiya in this case was the subject of interest if you are looking for his personal file.

10 **MS RAMSAMY:** Correct.

ADV BALOYI SC: Thank you.

MS SEGEELS-NCUBE: And did, and was this ever actioned?

MS RAMSAMY: Not to my knowledge. I did not receive any information.

MS SEGEELS-NCUBE: Okay, then on the next page of file 11, page 7, you do not deal with this meeting in your statement, so I just want us to deal with it. It is, it says “Teams meeting, Dylan, MRDR”. So I am assuming it is Mr
20 Perumal, Mr Raphesu and yourself.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Having a meeting on the 22nd, the same day. Was this after the presentation meeting or before?

MS RAMSAMY: Correct. It was called, as per Mr Perumal,

a caucus meeting where he was indicating the things that needed to be done.

MS SEGEELS-NCUBE: Following from the presentation?

MS RAMSAMY: From the instructions of Advocate Johnson after the presentation.

MS SEGEELS-NCUBE: Okay. The first one there, can you just tell us what that is? It relates to the vetting. It is a section 28. I cannot see who it will be served on.

MS RAMSAMY: It will be served on Miriam, who is a
10 witness, upon consultation regarding her affidavit. If I remember correctly, the witness had concerns about deposing to an affidavit without informing NasCom and the legal department of SAPS. And so that 28 needed to be served on her so that she could show them that she is compelled to disclose, as well as provide documents within her control.

MS SEGEELS-NCUBE: Okay, and ...[intervenes].

ADV BALOYI SC: In?

MS RAMSAMY: Her control.

20 **ADV BALOYI SC**: And this was what, vetting?

MS RAMSAMY: It would have been the Vetting Department of Crime Intelligence, yes.

ADV BALOYI SC: Okay.

MS SEGEELS-NCUBE: And then you have another entry regarding a section 28, which is a personnel file. Can you

just tell us there, because it refers to BMW clerk?

MS RAMSAMY: I did mention in my earlier testimony or on the previous occasion that at that point I did not even know that Brigadier Mokwele was the BMW lady. And in the meeting, she is referred to as the BMW clerk.

MS SEGEELS-NCUBE: Okay.

MS RAMSAMY: Where I say to discuss with is probably I had to discuss it with the ID. And then the next line is Dylan would action the following, to serve a 28 on the
10 NasCom for the personnel file and for the BMW clerk lady and for the personnel file from BMW and documents relating to the clerk who I later became aware was the Brigadier. And the next one was the 28 records ...[intervenes].

ADV BALOYI SC: And that she is an engineer, not a clerk, you later learned.

MS RAMSAMY: Correct, that she is an engineer.

ADV KHUMALO SC: With an MBA.

MS RAMSAMY: We were not informed of this by the investigating officers.

20 **ADV BALOYI SC:** I just thought to set the record straight.

MS SEGEELS-NCUBE: The next one?

MS RAMSAMY: The section 28 medical records of Lushaba, General Lushabha. This was a fight. This was a very big fight and this started a lot of problems in the team. I think during consultation with the Evidence Leaders, I

even asked them, do you know what a J88 is, and they laughed at me.

But in this meeting, when I was saying, because they wanted to 28 the hospital for the entire medical file. You cannot do that. How am I going to lead the evidence, should I ever lead the evidence, because does this man waiver his rights to confidentiality? And I said to them, the legal process, if you want a medical record, is you take a J88 to the doctor, especially for that specific medical
10 consultation. And they will fill it in and it becomes a 212, which then becomes easier to prove in court. And with Mr Padayachee, I got the blankest stare. It was as if it just went over. And with Mr Perumal, he was like, oh, ja, ja, ja, we will do that. They never did that. They actually did 28 actually, the full medical file.

MS SEGEELS-NCUBE: General Lushaba's full ...[intervenes].

MS RAMSAMY: Medical file from the emergency for the medical treatment after the incident.

20 **MS SEGEELS-NCUBE:** And then you did speak about the next one, which was the tracker and the eNatis information.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And that would have been on General Lushaba's vehicle.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And what is it that they were trying to get from that?

MS RAMSAMY: I know that there was an argument between Mr Perumal and Mr Raphesu about this, because Mr Raphesu was trying to explain that we are not investigating the events that occurred when the housebreaking happened, whether he picked up a lady of the night or he was robbed. The investigation was based on what transpired after the case opened at the station level.

10 So there was an argument about this and I am not sure if it was done. It has never been provided to me.

MS SEGEELS-NCUBE: And then the funds of the task team, there is just an arrow there that does not have a 28 next to it.

MS RAMSAMY: No. With regards to this, Advocate Johnson had previously said that when it comes to the task team, the Political Killings Task Team, that the investigation must look at, or it must be an investigation to obtain a racketeering certificate and prosecute in terms of POCA.

20 So, that little block was determining, so Mr Perumal wanted to lump sum everything, the vetting, the irregular appointments, into one solid, I do not even know what to call it, it is not a solid thing, it is just one file, and charge everybody in one go on racketeering. And so that was a discussion that was actually eventually settled by Advocate

Johnson saying, no, it is not going to happen that way.

MS SEGEELS-NCUBE: And you have there in the block “corruption, racketeering, task team”. What is that referring to?

MS RAMSAMY: The same. It is the same thing with regards to the funds of the task team, resources, isolation, and then the manner in which Mr Perumal wanted to proceed.

MS SEGEELS-NCUBE: Okay, then we can go to the next
10 page, which is page 8. That is where I think you deal with that meeting on page 11, paragraph 21 of your statement, which is the 23 January 2025 meeting where Mr Perumal is reporting back about the meeting with General Khan.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. But on your notes, that is in a block, a separate block at the bottom of page 8, file 11, there is other entries there that may be of relevance. I see that General Masemola's name is mentioned there again. It says “Masemola equals SSA removed”. What is that about,
20 do you recall?

MS RAMSAMY: Where are we?

MS SEGEELS-NCUBE: On page 8.

MS RAMSAMY: At the bottom?

MS SEGEELS-NCUBE: No, at the bottom deals with General Khan. At the top where it has Dylan and Brian

...[intervenes].

MS RAMSAMY: Okay.

MS SEGEELS-NCUBE: And then there is meeting.

MS RAMSAMY: Fourth line, fourth line?

MS SEGEELS-NCUBE: Yes.

MS RAMSAMY: One of the issues that I raised was that, so when they were, Dylan, Mr Perumal was explaining the meeting with Feroz Khan, the issue of the vetting being sent to SSA had come up and Mr Perumal indicated that there
10 must be an investigation with regards to this whole thing and that Mr, or rather the vetting should have been removed from SSA.

It should never have gone because Crime Intelligence has their own vetting. However, in my, attached to the memo on the 27th of July, there is a clear explanation about the SSA vetting thing that basically makes this whole argument null and void.

MS SEGEELS-NCUBE: You mean the 7th of July?

MS RAMSAMY: 7th of July 2025.

20 **MS SEGEELS-NCUBE**: Yes. And then the block where it has Feroz, Khumalo, you have explained that in your statement at paragraph 21.

MS RAMSAMY: Yes.

MS SEGEELS-NCUBE: Okay. You can continue with your statement at paragraph 22.

MS RAMSAMY: Thank you.

“Mr Perumal stated that Khan becomes very important to the Project Diversion investigations. He also said that he would be meeting Els and Hlongwane that day. These were identified by General Khan as possible witnesses. After the meeting with Advocate Johnson on the 30th of January 2025 regarding the Mr Nkabinde matter, no further meetings were held until April 2025, or if meetings were held, I was not included.”

MS SEGEELS-NCUBE: Okay, can I then ask you to go to page 12 of file 11, which deals with the, still aspects of the meeting of the 23rd of January 2026, 2025 I think you meant.

MS RAMSAMY: Ja.

MS SEGEELS-NCUBE: That 23-01-2026 you wrote just to identify ...[intervenes].

20 **MS RAMSAMY:** [Indistinct]... [cross-talking].

MS SEGEELS-NCUBE: ... out of order, but it should be 2025.

MS RAMSAMY: Correct, yes.

MS SEGEELS-NCUBE: Okay, there you have got “Khan becomes important”. And then there is section 28, 28

again, serve Masemola, Tom Moyane, and NasCom, D-class". What is that?

MS RAMSAMY: Declassify.

MS SEGEELS-NCUBE: So you want, the request was for the National Commissioner to declassify?

MS RAMSAMY: What had happened was when Advocate Johnson instructed that the 28 must be served on Feroz Khan, so that, because those documents were in his possession based on his position. During the consultation
10 that took place between Mr Padayachee, Mr Perumal, and Mr Khan, Mr Khan said that they have to be served on the NasCom, being General Masemola, so that because they are classified and so they had, the only person in SAPS that can declassify the personnel files is the NasCom.

MS SEGEELS-NCUBE: Okay. Then back to your statement, page 11, the new topic, "mounting pressure to progress investigations and effect arrests".

ADV BALOYI SC: Before you deal with the new topic, at this point, and I am looking up to paragraph 22, surely at
20 this point you must have a sense about the role of General Khan, ja. Can you just speak to that? I mean, it is difficult to comprehend a situation where you are all having these discussions in these meetings and tasks are given and his name keeps coming up. You also know who he is. You now know he is in Crime Intelligence. He works with Advocate

Johnson's husband. So there are certain facts you know. You must have formed a view at this point about his ...[intervenes].

MS RAMSAMY: I did.

ADV BALOYI SC: Ja, can you just share that with us?

MS RAMSAMY: So what I did was I Googled, because there was a lot of talk about him being on sick leave or suspension, but I did not really, I was not following it. So I had Googled and I realized that there was a lot of problems
10 between himself and management of SAPS. My opinion that I formed was that, if I am allowed to just deviate a little bit, in 2023, I had been given a docket where the former Head of Crime Intelligence, Lieutenant General Jacobs, is supposed to have been accused number 1. And when I was, I was one statement short from being able to enrol the matter against three suspects in the matter.

ADV BALOYI SC: You were in IDAC at the time?

MS RAMSAMY: I am in IDAC at the time. That is the one of the two, well, three matters that I indicated in statement
20 one where Advocate Johnson point blank refused to let me proceed. In fact, she held a meeting saying that those dockets were going to be sent to SSCU, but they had come through the Zondo Commission. And It was around that time that I was putting the link of Advocate Johnson's husband, Crime Intelligence, and this matter, because

people talk. And I was also asking the investigating officer, why are we being blocked?

So, and then I had heard about Advocate Johnson's husband and Mr Khan being friends. Then all of this happened. So I put two, four and four together, and I realized that there were other aspects at play, which made me even more cautious with my note-taking, my written objections, notifying management of how procedures are not being followed. And the mere fact that the Feroz Khan
10 affidavit in the Lushaba matter was kept from me, there is an e-mail to that effect where I am saying I am not even made aware of it. I have now had two court appearances. I have replied to a request for the particulars, so when I disclose this, it is going to look like I am hiding information from the defence.

So I also vocalized my concerns about General Khan's involvement. It also became very clear his agenda when I started reading his affidavits, and I put so in two memos, that he is only speaking about his own issues. So I
20 do believe that he had influence on these matters and how they progressed.

ADV BALOYI SC: The investigations and the decisions to prosecute?

MS RAMSAMY: Correct.

ADV BALOYI SC: Thank you.

MS SEGEELS-NCUBE: Thank you. Back to the statement, you were dealing with paragraph 23.

MS RAMSAMY: -:

10 “It seemed that out of nowhere, Advocate Johnson started putting immense pressure on the team to start effecting arrests on Project Diversion. Advocate Johnson wanted matters enrolled as a matter of urgency. On the 9th of April 2025, Mr Perumal informed me that Advocate Johnson wanted to advise us that the meeting with Ian Cameron went very well and that we have his full support and that we have got his affidavit. Mr Perumal forwarded messages from Advocate Johnson where it is clear that she was eager for the arrest to be affected as soon as possible, or as she put it, let us strike while it is
20 hot.”

MS SEGEELS-NCUBE: And we do have the screenshot of that. It is not yet in the bundle. It is part of the documents, but we do have, that is supposed to be added and compiled, so we are going to flight that now, but it will be added to file 10 at some point when we do the other documents. Are you

able to see it and read it?

MS RAMSAMY: Ja.

“Okay, ID. Just wanted to advise meeting with Ian Cameron went well. Full support from him. We got his affidavit. We also got ...” [intervenes].

MS SEGEELS-NCUBE: No, I think you must start from the beginning. This is an e-mail from, this is a WhatsApp from Mr Perumal.

10 **MS RAMSAMY:** Correct, this is a WhatsApp from Mr Perumal. He forwarded it to me after he had sent it to Advocate Johnson.

MS SEGEELS-NCUBE: Yes, okay.

ADV BALOYI SC: So he was reporting to ...[intervenes].

MS RAMSAMY: Advocate Johnson.

ADV BALOYI SC: Okay.

MS RAMSAMY: -:

20 “We also got General Pienaar to come in. Once she saw the evidence we have, she is withdrawing he ...”

I think “her” report.

“... wherein she cleared Lushaba. I will sign off on her affidavit on Friday. She admits that she was misled by the IO and Lushaba's friends, et cetera. We are

back at airport. flying back to PTA at
6pm.”

MS SEGEELS-NCUBE: And so that is his message that he sent to Advocate Johnson and he is now sending it to you to show that is what he sent her.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And then he forwards, so he is basically forwarding the conversation that he is having with Advocate Johnson to you.

10 **MS RAMSAMY**: Correct.

MS SEGEELS-NCUBE: And where we then see the white messages, like that, the wrong message, where it does not have a forward, it is because it is his message to her. So when you send it to somebody else, it is not going to show as a forwarded message, but her message to him will come across as a forwarded message.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: So where we see forwarded, that is from Advocate Johnson to Mr Perumal, and where we do not
20 see forward, it is his message to her.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay.

MS SEGEELS-NCUBE: -:

“Okay, thank you. Stay on Piena ...”

I think she meant Pienaar.

“... so that we enrol Lushaba ASAP.”

MS SEGEELS-NCUBE: And his response?

MS RAMSAMY: -:

“No problem, ID.”

Her reply:

“Let us strike while it is hot.”

MS SEGEELS-NCUBE: And that was in reference to enrolling the matters in order to get warrants of arrest?

MS RAMSAMY: Correct.

10 **MS SEGEELS-NCUBE**: Okay. And what is the process of the enrolment at that? What would have happened, had to happen in order to get the matters enrolled?

MS RAMSAMY: Firstly, we would have had to have a 28(1) and then the prosecutors would have had to evaluate the evidence. From there, one of two things would have happened. If the prosecutor felt that there was a *prima facie* case, the matter would have been enrolled. If not, then a memo, which I will later display how I had done on, to on the Crime Intelligence matters to Advocate Johnson,
20 is done to say no *prima facie* case.

ADV KHUMALO SC: When it gets enrolled for the purposes of getting a warrant, is it dealt with in the magistrates' chambers? You do not go into open court for that purpose?

MS RAMSAMY: For a warrant of arrest?

ADV KHUMALO SC: Ja.

MS RAMSAMY: The prosecutor is not even supposed to be there.

ADV KHUMALO SC: So who is there? Who are the role-players?

MS RAMSAMY: It would be the magistrate and the investigating officer with the investigating officer's affidavit. And there is a pro forma, It is a J, I cannot remember, but it is a J something. At the top it would say "I, Drushantha
10 Ramsamy, confirm that I have perused the docket and I have, I confirm that there is a *prima facie* case." I would then sign it and at the bottom date it and then there is another portion where the investigating officer will fill out.

ADV KHUMALO SC: And then you are asking the magistrate to authorize the warrant?

MS RAMSAMY: But the magistrate is not bound by me saying that there is a *prima facie* case because remember, I am not telling the magistrate what is in the charge sheet or the docket or anything like that. The magistrate is bound in
20 their own duties and responsibilities to read and question the affidavit of the investigating officer. Based on that, then the magistrate would sign the J50.

ADV BALOYI SC: The, sorry, that message is gone, the WhatsApp.

MS SEGEELS-NCUBE: Oh, the WhatsApp. Okay

...[intervenes].

ADV BALOYI SC: You now have the statement.

MS SEGEELS-NCUBE: Yes.

ADV BALOYI SC: Commissioner Khumalo says it is a view
once message.

MS SEGEELS-NCUBE: We can retrieve it.

ADV BALOYI SC: Please do. Ja, the, this affidavit, so
Perumal, Chief Perumal says we got his affidavit. In terms
of dates when this message is exchanged, does that
10 connect to the affidavit that we looked at earlier, or is he
speaking about a different affidavit, do you know?

MS RAMSAMY: If memory serves, it is the same date.

ADV BALOYI SC: Okay.

MS RAMSAMY: Ja. If I can just remember which
...[intervenes].

MS SEGEELS-NCUBE: If you go to 2820 in file 7, it is
dated the 9th of April 2025.

ADV BALOYI SC: April 2025.

MS SEGEELS-NCUBE: And your exchange with him is on
20 that day.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And it is at half past 1 and that is
by Brian Padayachee.

MS RAMSAMY: Correct.

ADV BALOYI SC: Okay. So it is that same affidavit?

MS RAMSAMY: It would appear so, yes, Commissioner.

ADV BALOYI SC: And before Mr Perumal went to meet with Mr Ian Cameron, was this discussed as part of your work that you are doing that we will go and speak to a Member of Parliament, Ian Cameron, he has approached us or we know somehow that we will get something out of him. How does Perumal land up talking to the Chairperson of the Portfolio Committee?

MS RAMSAMY: Commissioner, after the 30th of January, 10 until April, I am completely kept out of the loop. And it is after this message where I am now being told that we must strike while it is hot, that I am doing, there is another presentation where I say I have only received documents on the 11th of April. I have not received any of the information. that was received through the 28's, so I cannot enrol according to the timeline.

ADV BALOYI SC: If you are kept out of the loop, you say from January until about April, how do you explain that Mr Perumal sends you this, because this suggests, you know, 20 on the face of it, this message suggests you know what he is talking about because you have been part of it. How do you explain it then?

MS RAMSAMY: I actually had a conversation about this. When I spoke to Mr Sesoko about this, I said to him, now they want me in because they need a prosecutor. So now

they want to bring me into the vault and the word I used was play nice because they needed a prosecutor.

MS SEGEELS-NCUBE: It is because they wanted to enrol the matters.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. And they could only do that with a prosecutor ...[intervenes].

MS RAMSAMY: With a prosecutor.

MS SEGEELS-NCUBE: Okay.

10 **ADV BALOYI SC**: And do you know whether General Pienaar did withdraw her report that cleared General Lushaba? Do you know what happened with that?

MS RAMSAMY: That was an even bigger fight. How, even if she is sure, evidence, it is like the Commissioners make their findings and submit a report. You cannot now say that you are going to withdraw your April report because of the information that we have received now that contradicts there. You would do a supplementary or a new report saying, based on my new findings, this is what I have
20 discovered or has been placed before me and due to that, I wish to amend my initial report.

And at that point, I actually got Mr Sesoko in because, and I said to him, you need to deal with Mr Perumal now, because he is not listening. And at that point, I was saying to them, if you withdraw it, if you put it

in the docket already, and then now you file a withdrawal of that, and then you go to the Commissioner of NasCom and you say I am withdrawing that report, you cannot do that. You have to supplement your report and say that based on new findings, I make new recommendations. So I doubt that the report was withdrawn. I also doubt that the legal department of SAPS would have allowed it in that matter.

ADV BALOYI SC: But you are not aware whether or not it was withdrawn?

10 **MS RAMSAMY:** No.

ADV BALOYI SC: Thank you.

MS SEGEELS-NCUBE: Can I just get clarity on this? So this relates to the Lushaba matter.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: But when did the split happen where Mr Raphesu was assigned the Lushaba matter and the other team was assigned the Mokwele matter?

MS RAMSAMY: Around the 16th to the 20th of January 2025, there was a separation of the team members.

20 **MS SEGEELS-NCUBE:** Okay. So you were not being kept abreast about the Mokwele matter?

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: But you were being kept abreast about the Lushaba matter by Mr Raphesu.

MS RAMSAMY: Until the 30th of January, correct. Well,

actually not, just a little bit before. He was, he did not know anything about it until the 10th of February when he received the letter. And then on the 10th of February, he ceased work.

MS SEGEELS-NCUBE: Yes.

MS RAMSAMY: So ...[incomplete].

MS SEGEELS-NCUBE: So I think that is what is missing in our timeline is that when he gets suspended, who then takes over the Lushaba case.

10 **MS RAMSAMY:** Mr Perumal and Mr Padayachee. And after that, it went from an investigation of what transpired at station level. And all of a sudden, I really did not understand, and until now I do not understand, why Crime Intelligence vetting department was constantly filing affidavits, because even in the Lushaba matter, there is three affidavits, one of whom is a 204.

MS SEGEELS-NCUBE: But, so when you say that you were not being kept abreast, that would have been from February when Mr Raphesu is no longer on the Lushaba
20 matter.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: But you are aware that the Lushaba matter is now being investigated by Mr Perumal and his team?

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And you are not aware then what is happening on that investigation.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. Are you asking for updates or how does the process work?

MS RAMSAMY: I am supposed to be updated on every single witness that is consulted, every step of the investigation. Where there is problems with witness statements, I am supposed to get the drafts, I am supposed
10 to proofread, I am supposed to analyse. When it is a 204, I am supposed to peruse a draft before we can take it to Advocate Johnson to authorize a 204. None of those things were happening.

MS SEGEELS-NCUBE: Yes, I think we get to the point at some stage where you say the 204 process where you were bypassed and Advocate Johnson sort of said to you, she is happy with the process, the 204 can go ahead. But at this stage when he sends you this message, do you then, because you are not responding to him immediately, but at
20 some point you must be engaging him now on what has happened and you have a meeting with, how do you get updates now, because now you know that there has been progress on the Lushaba matter. What happens from there? And Mr Cameron's affidavit, does that relate to the Lushaba matter as well?

MS RAMSAMY: No.

MS SEGEELS-NCUBE: Okay. So why were you being told about his affidavit?

MS RAMSAMY: I think the purpose of, and this will also be addressed when I speak of the meeting of the 8th of July 2025, Advocate Johnson would send certain instructions to me through Mr Perumal. So my understanding of this message was that Mr Perumal wanted me to know that Advocate Johnson wanted us to get going on the Lushaba
10 matter. And then there was a meeting subsequent to that on the 11th of April. I think it is the 11th.

MS SEGEELS-NCUBE: And before he was taken off the Lushaba matter, what was Mr Raphesu's view of the matter?

MS RAMSAMY: So Mr Raphesu interviewed two Crime Intelligence officers that had been tasked to go and for, if I have to use the term that they used, go clean up a mess.

MS SEGEELS-NCUBE: Okay.

MS RAMSAMY: And then when he received the docket, he looked at the C clip and the A1. So in my first evidence, I
20 spoke about how the first entry of the C clip would speak to the A1 with regards to suspects, dates. The whole thing is literally summarized for when the detective takes over. And then the B clip, when you look at the middle section, if you lift all the correspondence that is usually there, there is a little block that says when a docket was allocated to an

investigating officer, meaning a detective, and when they sign for it.

So it is sort of a check and balance because it will be on the CAS system and then it will also be on the docket. Mr Raphesu then, and he updated me via WhatsApp throughout the day of every move and so he then consulted, he found out that accused number 2, Mogashwa, was not even on duty and that he was told by the Crime Intelligence officers who were tasked from Crime
10 Intelligence at the time in 2022 to go and speak to the A1 and A2, meaning the first SAPS officials to respond to the complaints. When he consulted with them, he wanted the original 38 docket to take to them.

MS SEGEELS-NCUBE: That is Villiera.

MS RAMSAMY: Villiera 38 docket. Mr Perumal refused to allow Mr Raphesu to have the docket even though he was the investigating officer on the matter, hence the message from Advocate Johnson that she had handed everything over to Dylan, Chief and Padayachee or Brien. So I told
20 him to work off the copies that I had made for him and the whole team off those dockets. And in those copies was Villiera 38.

When he consulted with the, so it was the, they work in crews. So the van went to the house of Lushaba and the person, the more senior who took down the affidavit

of what had transpired while Mr Lushaba was dictating, et cetera, et cetera, he said that this was not the statement and then he filed a statement saying that this could not be the A1 because it is one, not in his handwriting, and two, he had commissioned it and it had been commissioned at the physical address of Mr Lushaba. So that affidavit was sent to me via WhatsApp. I sent it to Advocate Johnson.

Then the following day, Mr Raphesu met with another Crime Intelligence officer who was also tasked with, 10 in 2022. And then he also met with the crew member of the, what I call the A1, because he was the first person to file an affidavit with regards to what transpired after Villiera CAS 38 was opened. He filed an affidavit in confirmation of what had transpired in, when Mr Lushaba goes to the police station, he is told to wait at his residence, a van will come, a SAPS van. The SAPS van attends the statement and the docket is opened at the house. Accused 2, Mogashwa is not even there, but the statement in the Villiera CAS 38, as it stands now, is an affidavit commissioned by the Detective 20 Mogashwa.

So the investigations progressed. Mr Raphesu went to speak to the Station Commander. The Station Commander also had his own concerns about this docket. He voiced it with regards to the amount of pressure that he was receiving from accused number 4, 3 and 4, to close this

docket. In fact, he said, accused number 3 and 4 said to me, do you not want to make your life easier and just close this docket as undetected?

The Commander also speaks about, he did his own investigations with regards to cellphone records and all of those things. He confirms that he has the video or he viewed the video footage referred to in Mr Lushaba and the friend's affidavit. But that video footage is gone. It is nowhere. What is labelled as video footage and put in the
10 SAP13 and in an SAP or exhibit bag is actually cellphone records that were obtained by the Commander. So that USB of the video footage is gone.

MS SEGEELS-NCUBE: And this is everything that Mr Raphesu did before he gets taken off the matter?

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And he reported that to you?

MS RAMSAMY: He reported, he filed, there were affidavits filed with regards to those things. The Commander also referred Mr Raphesu to the initial person that was allocated
20 to the docket on the CAS system and explained to Mr Raphesu, who then explained to me that, and later when I consulted with this Station Commander, was that it seemed like it was allocated to her because she had just come back from maternity leave and she was brand new.

She also files a statement about how she was

receiving phone calls from Mr Lushaba, dictating certain things, that Mr Lushaba did not want to deal with her, he did not want to file a supplementary, he was not making the witness on the housebreaking available. The Commander also confirms to me that, during consultation that on the day that Mr Lushaba eventually filed a supplementary, he refused to do it in isolation from the witness. So he wanted the Commander to do both statements together and he was interjecting and there was a lot of - but the friend, so Mr
10 Lushaba says that he did not go for any medical treatment, et cetera. The friend's statement says that he drove Mr Lushaba for blood tests, because Mr Lushaba suspected that he was drugged.

And I repeat, the charges on Mr Lushaba's docket and the three other accused was not that he was not a victim. It was what had happened at the level of the station in order to quickly close that docket. And the statements speak to that right until Mr Raphesu stopped. Also, it must be noted that two out of the four accused, when I was still
20 dealing with the matter, approached me for 105A. We were in negotiations when I was removed from them.

MS SEGEELS-NCUBE: What is 105A?

MS RAMSAMY: It is a plea and sentence agreement between the accused and the state.

MS SEGEELS-NCUBE: Okay. So why did Advocate

Serunye, he had a different assessment of the matter. Did he not have access to the investigations that Mr Raphesu had done?

MS RAMSAMY: I was not allowed to. Mr Raphesu was *persona non grata*. In fact, if you mentioned his name, Mr Padayachee would stand up and say, do not talk about him, that man put my life at risk, no matter where we were. So I was not allowed to share the report. In fact, there is emails where Mr Padayachee and Mr Perumal had informed the ID
10 that Mr Raphesu did nothing on that docket. He, there was, it just came as a, and they denied that the documents that Mr Raphesu was forced to hand over when he got the letter contained statements and the report. And to be very honest, the report was handed to every person via USB on every update.

MS SEGEELS-NCUBE: I know that the report by Mr Raphesu, I think it is titled preliminary report or something like that, but it is a report by Mr Raphesu.

MS RAMSAMY: Correct.

20 **MS SEGEELS-NCUBE:** That is also one of the documents that needs to be obtained and included in the bundle.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: But I think Mr Raphesu did not have it, but you do have it.

MS RAMSAMY: I do, yes, correct.

MS SEGEELS-NCUBE: Because he had emailed it to you.

MS RAMSAMY: And I had emailed it to everyone, correct.

MS SEGEELS-NCUBE: And when you say you have emailed it to everyone, it would not have been Mr Serunye because he was not part of the team yet, or would ...[intervenes].

MS RAMSAMY: No, Mr Serunye came in only in August. All of this was happening in March, April, May.

MS SEGEELS-NCUBE: Okay.

10 **MS RAMSAMY:** So when he analysed the docket, In fact, one of, Mr Serunye and I had a discussion about it, about, not after the testimony, but at the time in August, where I admitted that I was rushing the charge sheet and I had not put accused 2 where I was supposed to put accused 2. I had put accused 1, accused 1. But I was trying to explain to him what it was, but Mr Serunye, or Advocate Serunye concentrated on the explanation provided to him by Mr Padayachee and with the report of Mr Raphesu, he was never provided so that he could understand the sequence of
20 the investigation.

MS SEGEELS-NCUBE: So the view that you and Mr Raphesu held at the time was that there was a *prima facie* case.

MS RAMSAMY: Correct. And it was confirmed in the meeting where Mr Sesoko was present.

MS SEGEELS-NCUBE: And which meeting was that?

MS RAMSAMY: The one that Mr Serunye spoke about yesterday, where he wanted the presentations.

MS SEGEELS-NCUBE: Where he wanted the presentations. Okay, I think we get, we will get to that at some point. Now, after Mr Raphesu is out of the picture on Mr Lushaba, General Lushaba's matter, and is the main investigator now Mr Padayachee or is it Mr Perumal who is the investigator?

10 **MS RAMSAMY**: Must I answer that?

MS SEGEELS-NCUBE: Yes.

MS RAMSAMY: I know you have to be blunt, so I am going to be blunt. Commissioners, Mr Padayachee does not know investigation. He is, and even if you look at the emails that I am providing to the Commission, even his affidavits for the J50's, he has never drafted them. Those affidavits are drafted by Mr Perumal and emailed by Mr Perumal, and they are in two different provinces. And he would say, Brian, peruse, team peruse.

20 So those, everything, and like I said, I know the style because I have been working with them for almost 4 years now. The other aspect is that I know that Mr Padayachee was struggling with the investigation because on numerous occasions I had instructed Mr Padayachee to do, so when we were discussing, if we go back to the

aspect where we are saying 28's must be done on this and 28's must be done on that, on page 7.

MS SEGEELS-NCUBE: Of file 11.

MS RAMSAMY: File 11. It reached a point where I had to remind Mr Padayachee that you are also a senior investigator. You are not a chief investigator. You are on the same rank as Mr Raphesu. So I am dividing, you do this, you do this. When it was eventually done, it was done by Mr Perumal. So even a 28, Mr Padayachee struggled to
10 do. And on one occasion, Mr Padayachee had said to me, I am still new to this, so I need you to guide me through this, whatever.

But if you are asking me for guidance, then you must also be willing to learn. And you must be able, because he would sit and he would say, let me tell you how Crime Intelligence is working, how Crime Intelligence is working. Whenever I would ask why there was a shortage of evidence in an affidavit obtained it would be, let me tell you. And I said, no, but irrespective of what you know, in
20 order for me to make a decision on the evidence, it has to be in the statement. So ...[incomplete].

ADV BALOYI SC: You sound like you, I am not saying that is your intention, you sound like you agree with General Mkhwanazi that Colonel Padayachee knows nothing about investigations. Is that a fair ...[intervenes].

MS RAMSAMY: It is a fair assessment. Having worked with him for, since January 2025, actually I worked with him on the other 27 referral, but he came in much later after the investigation was done.

ADV BALOYI SC: Thank you.

MS RAMSAMY: So yes.

ADV BALOYI SC: Thank you.

MS SEGEELS-NCUBE: Now in your statement ...[intervenes].

10 **ADV BALOYI SC:** Maybe before you do that, let me ask a question. It relates to that WhatsApp message from Mr Perumal about his meeting with Mr Cameron. It is, where it says meeting went very well, full support from him. What did you understand that to mean, because from the affidavit that we looked at earlier, it seemed, and your notes, looking at your earlier notes, that it was they went to see him about the appearance of the National Commissioner and his team on vetting issues.

I think you said that is vetting Crime Intelligence.

20 That is why they went there and that affidavit seems to speak to that, even though it does not say they lied. It said, look at the record of our meeting, compare that with your intelligence dockets. Members were not satisfied. That is all he says. When he says, so it would appear that the engagement with him would have been limited to that

particular question, the vetting Crime Intelligence. What did you understand, Mr Perumal to say when he says we have full support from Mr Cameron, what you understood or what he said.

MS RAMSAMY: I understood him to have meant that they went to Mr Cameron with a specific narrative in mind, and that narrative was accepted. And I say this because I had been working with him for so long. I have sat in two or four negotiations on other matters, so I know how they think,
10 how they work. So they went to him with a specific narrative and he was on board.

ADV BALOYI SC: And the narrative would be what, because in the bigger scheme, you have said to us, the big scheme, let me be careful not attribute to you things that you did not say. So if, where I paraphrase, bear with me, that it seems the big scheme here was the cleaning up of the SAPS for whatever purpose, because that is what your head says. I met with the Minister. He wants our assistance to clean up the SAPS.

20 So maybe that is why everything is happening, I do not know. When you say they went there with a narrative, is it that he is giving full support for the cleaning up of the SAPS or is it for arresting and charging Crime Intelligence people, including the National Commissioner? When you say narrative that you think they went there with,

and that is what Perumal is speaking to when he says that Mr Cameron gives his full support, what in fact do you have in mind or are you seeking to convey to us?

MS RAMSAMY: My understanding of the narrative by them was exactly what they were perpetuating, that General Khumalo and General Masemola need to leave. They need to be gone.

ADV BALOYI SC: So your understanding was that. And you may well have been wrong in your understanding
10 ...[intervenes].

MS RAMSAMY: Correct.

ADV BALOYI SC: So you are not placing it higher than what you made of it.

MS RAMSAMY: Correct.

ADV BALOYI SC: Your understanding was that he is conveying, Perumal is conveying that Cameroon supports that agenda.

MS RAMSAMY: Correct.

ADV BALOYI SC: He may well be misrepresenting what
20 happened between him and Cameron, so we are not placing it higher than that.

MS RAMSAMY: Correct. And also, just to repeat, by then, Advocate Johnson had already said we must look into a link of PKTT and Cameron, in Cameron. Also, we have the WhatsApp's where Mr Perumal is sending me documents

that were top secret, contain very, very dangerous information about a person and their lifestyle, their families, et cetera, for the purpose of security of Mr Cameron. So how did we go from investigating how Mr Cameron went to get or how Mr Cameron got protection, his risk assessment and the PKTT involvement to he is now on board.

ADV BALOYI SC: Thank you.

CHAIRPERSON: I just got word that there is a need for a comfort break. Let us adjourn. We will be told when to
10 come back.

MS SEGEELS-NCUBE: Thank you, Chair.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Ms Segeels-Ncube.

MS SEGEELS-NCUBE: Ms Ramsamy, just switch on your microphone. Thanks. We were dealing with paragraph, I had asked you some questions about the Lushaba investigation, but I think we were at paragraph 24 of your statement, but I could be wrong, on page 12.

20 **MS RAMSAMY:** Correct.

MS SEGEELS-NCUBE: And you referred to numerous meetings that took place in April. There is just one aspect which came to mind as I was reading this now that I need to clarify about the evidence that the witness gave earlier. You said that the WhatsApp, which has just been, was given

to us after all of this, was the WhatsApp that sort of spurred where they needed you now to come in because they wanted to do the enrolment.

And prior to that, there had not really been much engagement with the team investigating on the Lushaba matter. But my recollection of when we had the consultations and your statement was being prepared is that it was actually the meeting that was held in April, the 8th of April, the request for a meeting with you on the 8th of April
10 that made you say why do they, now they want me because they need me. It was not the 9 April.

MS RAMSAMY: It was, correct.

MS SEGEELS-NCUBE: A WhatsApp.

MS RAMSAMY: I have my phone in front of me. On the 5th of April, Mr Perumal contacted me and said they needed to see me and that they were going to be in Pretoria on the 8th. On the morning of the 8th, I will provide it to the, I will provide a screen grab to the Commissioners. On the morning of the 8th, I say:

20 “Morning D, trust you are well. Are we still meeting today? If so, what time?”

He says:

“Hi Dru, can we meet at Fire & Ice, Menlyn, please? Anytime you are ready.”

I said:

“No problem, we will be there by 11,
11.30.”

At 10:12, I say:

“I am early, 24 minutes away.”

And then I called to find out, when I get there, I called to find out where do I meet them. And they were in the conference room or boardroom by the eating area of Fire & Ice. The notes are on page 13.

MS SEGEELS-NCUBE: Yes, I was just going to take the
10 Commissioners there. So just to clarify and clear up the confusion, it is the WhatsApp from the 5th of April, not the WhatsApp from the 9th of April, that is the interaction that you say was them now needing you ...[intervenes].

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Because they want to enrol. And then the meeting follows on the 8th of April. On page 13 you have got D, B and me, which is Perumal, Padayachee and you ...[intervenes].

MS RAMSAMY: Correct.

20 **MS SEGEELS-NCUBE**: At Fire & Ice.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. And then you have got the HB, which is the housebreaking matter.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay.

MS RAMSAMY: This became a very important matter to enrol at that time.

MS SEGEELS-NCUBE: Important to whom?

MS RAMSAMY: To Advocate Johnson and Mr Perumal. So there was a meeting with regards to where I stand and what has been done by them. So they were briefing me on what they have done in the investigation.

MS SEGEELS-NCUBE: Sorry to interject. I think you just need to give context and maybe I need to do that now, is
10 that by the 8th of April, your affidavit that we had looked at earlier had been submitted to Advocate Johnson ...[intervenes].

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Which was dated 1 April 2025.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Regarding Mr Raphesu and what happened with Mr Nkabinde.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: So by the time this interaction is
20 happening, there is now tension because of your, well, I am saying tension, which is a mild interpretation of what you are going to explain, but that is the context within which this is happening is that at this stage you have filed an affidavit which essentially exonerates from your point of view, Mr Raphesu, regarding the allegations about Mr

Nkabinde and whether or not he leaked the information to Mr Nkabinde.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay, now you may proceed.

MS RAMSAMY: Just to add on the, the tension was so, so intense that later on there is even a team coercion meeting. I was repeatedly told by both Advocate Johnson and Mr Perumal that they do not trust me anymore because of that affidavit. And it is not as if they were just saying, we do not
10 trust you. Advocate Johnson actually said to me, there is a lot of distrust by the team members against you because of your affidavit. So this meeting was, I really did not want to be there. That is probably why I even forgot it happened. I apologize for that. There was no malice on my part.

So they wanted to discuss the housebreaking matter. For some reason, they had, without me knowing, 28'd or subpoenaed the loss file. The loss file is an internal file that is kept for reporting of equipment that is issued to you by your employer. If you lose it, then you have to fill in
20 those documents or file an affidavit, give the CAS numbers, et cetera. They had subpoenaed the internal fact-finding file. That was basically the internal investigation into the loss of those items. Retake const file. I cannot remember what that means.

MS SEGEELS-NCUBE: So can I just understand this note.

This is now just a recordal of everything that you had just told us earlier on was contained in Mr Raphesu's statement or his report or ...[intervenes].

MS RAMSAMY: This is now them telling me what they did after Mr Raphesu ...[indistinct].

MS SEGEELS-NCUBE: Okay. o then I do not think we need to go over this. This was just for me to bring to your attention that your dates were wrong regarding the 9 April conversation, the 9 April WhatsApp exchanges. So we can
10 then go back to your statement where you say there were numerous meetings, paragraph 24.

MS RAMSAMY: -:

“There were numerous meetings that took place in April, all of them mounting from tension between the team and myself, because Advocate Johnson had indicated that the team had great distrust towards me because of the affidavit I deposed to essentially stating that Mr Raphesu could
20 not have been the source of the leak regarding the investigation into Mr Nkabinde. This affidavit was deposed to sometime in the first week of April 2025.”

If I may just speak to this distrust. I had spoken to Mr Sesoko, and I had asked him if Mr Perumal and Mr

Padayachee were witnesses in this Raphesu investigation, how is it that they have had sight of my affidavit for them to now state that they distrust me based on my affidavit.

MS SEGEELS-NCUBE: Okay.

MS RAMSAMY: Paragraph 25:

“On April 2025, a meeting was held.”

MS SEGEELS-NCUBE: On 24 April 2025.

MS RAMSAMY: -:

10 “24 April 2025 a meeting was held with
the Project Diversion team. Present was
Advocate Johnson, Mr Perumal, Sesoko
Padayachee, Project Manager Tshepo
Tlale, Pat Mlambo, Senior Investigator,
Charles Els, Investigator, Wynand
Wessels, the Chief Financial Investigator,
Mr Sesoko and me. By this time, Mr
Raphesu was no longer on the project.
At this meeting, a second written
presentation was made to Advocate
20 Johnson. I pointed out that I had
received affidavits late and none of the
documents secured in terms of the
section 28 processes had been made
available to me. Mr Perumal attempted
to deny knowledge of the section 28

summonses that were issued in respect
 of General Lushaba's bank account,
 those issued by Mr Raphesu in December
 2024. I was shocked and reminded him
 of the events surrounding the issuing of
 those summons. In fact, he was copied
 on Mr Raphesu's section ...[indistinct]
 email attaching the summonses.
 Tensions were high at that stage, so
 10 much so that I had to address the issues
 with Advocate Johnson and Mr Sesoko,
 which I did. In an email titled,
 prosecutorial instructions considered as
 disrespectful and nonsense. In this email
 of 25 April 2025, I also raised the issues
 that investigators were not complying
 with SOP's during the investigation. I
 will return to the 24 April 2025 meeting
 later under the relevant topics. I became
 20 aware ..." [intervenes]

MS SEGEELS-NCUBE: Sorry, Ms Ramsamy, can I just ask
 you to look again at that date, because you may be
 confusing the 24 April meeting with a 16 April meeting, but
 that is my recollection. But I just want you to go to your
 notes on page 20, file 11, because it has got take down.

The title of that says take down, plus or minus 7 May.

MS RAMSAMY: What pages?

MS SEGEELS-NCUBE: On page 20 of file 11. I know in some of these notes you did not have the benefit of them because you had to ...[intervenes].

MS RAMSAMY: No, the plus minus 7 May ...[intervenes].

MS SEGEELS-NCUBE: No, look at the date of the meeting.

MS RAMSAMY: Oh, the 16th of April of ID office. Yes, I
10 am sorry.

MS SEGEELS-NCUBE: Yes, because that is the meeting where the ID is present. You have got the people that have attended right after the date. You have got at ID's office, Mlambo, Brian, Dylan, Ayanda, Dylan, ja, Dylan again, ID, Sesoko, Charles, which all corresponds to the attendees on paragraph 25, but you say it is 24 April and I think it is 16.

MS RAMSAMY: No, it is the 16th of April. I apologize.

MS SEGEELS-NCUBE: Okay. There is a 24 April meeting ...[intervenes].

20 **MS RAMSAMY:** Yes.

MS SEGEELS-NCUBE: But the meeting that you say is the significant meeting where the take down, that is why there is a take down, plus minus 7 May.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. And tell us what is take

down a reference to?

MS RAMSAMY: Take down is the word that Advocate Johnson and Mr Perumal use with regards to arrests.

MS SEGEELS-NCUBE: Okay, so the arrests, what were you being told about the take down?

MS RAMSAMY: I was instructed that the take down for Mr Lushaba and the three others was to take place on the 7th of May, plus minus 7th of May.

MS SEGEELS-NCUBE: That was the target date.

10 **MS RAMSAMY:** Correct.

MS SEGEELS-NCUBE: And were you given any information as to the significance of that date?

MS RAMSAMY: No, I was not.

MS SEGEELS-NCUBE: Okay. And then you have there, “reference memo times 2 and hard drive”. What does that mean?

MS RAMSAMY: There was an issue of, previously I had indicated on the 11th that I was only given the documents or the affidavits that they had collected since inception on the
20 11th of April and there was an issue about storage on a USB because the USB’s were small. So we had to requisition like 3 or 4 USB’s in order for me to get the information. And so in order to obtain a hard drive, you have to do a memo to the ID. so that the ID can approve the requisition. So it was, I was to do a memo for two hard drives, one for

myself and one for the investigators.

MS SEGEELS-NCUBE: Okay. And then you refer to the Lushaba matter, the security clearance, clearance, security clearance, and then you have “D to call Pienaar, section 28 interview”. Then there is a “cannot commit” and then section 28. What is that in reference to?

MS RAMSAMY: Mr Perumal had indicated that, Pienaar indicated that she cannot commit to attending a consultation with a 28, the service.

10 **MS SEGEELS-NCUBE:** Okay. She needed the subpoena, okay.

MS RAMSAMY: She had to be subpoenaed.

MS SEGEELS-NCUBE: And then you have “started drafting”. Drafting what?

MS RAMSAMY: Advocate Johnson had indicated that I must start drafting, so I put started drafting.

MS SEGEELS-NCUBE: Drafting what?

MS RAMSAMY: The prosecutorial memo. But I had in that meeting been told to start drafting, so the list that Advocate
20 Johnson told me was the in-consultation note, the charge sheet, and the prosecutorial memo.

MS SEGEELS-NCUBE: Okay, and that was, those were the documents necessary for the enrolment?

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Were you asked to draft a 28(1)

application because would that not precede all of those other documents?

MS RAMSAMY: The 28(1) request for drafting was only made to me on the 27th of May 2025.

MS SEGEELS-NCUBE: Okay, so the request to draft the 28(1) investigation application for authorization for that investigation was only given to you on the 27th of May, that instruction. But on the 16th of April, you are already instructed to draft the in-consultation memo, and that is for
10 purposes of enrolment, even though the 28(1), you are not yet in the 28(1).

MS RAMSAMY: Correct. It was at this time that I told Advocate Johnson that the quality of the statements are so poor that I highly doubt her timelines could even be met.

MS SEGEELS-NCUBE: Yes, I think there is a WhatsApp where you say, you ask, please you are asking for an extension.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. And we will get to that. So
20 then the next thing you say, “signed Khumalo equals clearance not authorized”. What does that mean?

MS RAMSAMY: If memory serves, it was with regards to the fact that when Khumalo was appointed, his clearance was not authorized.

MS SEGEELS-NCUBE: Okay. And that is, but that is a

different investigation under Project Diversion.

MS RAMSAMY: Ja, I was writing as everybody was speaking, so it is possible that was supposed to be, the line was supposed to be above it.

MS SEGEELS-NCUBE: Okay, the line being now you are in phase two, which is the unlawful appointments, which General Khumalo would fall under that, which is the vetting.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And that would be General
10 Khumalo and General Masemola, or is it General Khumalo and General Madondo?

MS RAMSAMY: Both.

MS SEGEELS-NCUBE: Okay. And just remind us again, insofar as General Masemola and General Khumalo is concerned, the allegation there is related to General Khumalo's appointment as the Head of, the Divisional Commissioner of Crime Intelligence.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And General Madondo and General
20 Khumalo, what is the allegation there?

MS RAMSAMY: Is that General Khumalo facilitated the transfer or promotion of General Madondo to Crime Intelligence while well knowing that her security clearance or top, application for top security clearance was refused.

MS SEGEELS-NCUBE: Okay. So when you have the

reference to 7 May there for the takedown, is it Lushaba on the housebreaking?

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. And then what were to happen to the other arrests?

MS RAMSAMY: The instruction was that there were going to be arrests every two weeks.

MS SEGEELS-NCUBE: Arrests in respect of the other matters every two weeks.

10 **MS RAMSAMY**: In respect of the other matters. So the arrest would go, each meeting it changed the order. So this meeting it was Lushaba, Mokwele, Madondo, Masemola Khumalo.

MS SEGEELS-NCUBE: Okay. Then can, before you continue with your statement at paragraph 25 on page 12, can we go to file 11, page 21.

MS RAMSAMY: I am on 21.

MS SEGEELS-NCUBE: This is still a continuation of the meeting of 16 April. I just want you to tell the
20 Commissioners why General Masemola's name is mentioned in that note and it says "not allowed till ID is convinced".

MS RAMSAMY: I was informed in that meeting that General Masemola was served with a section 28 to appear before a designated member of the ID to answer questions. In that meeting, the ID asked me why is NasCom being

served and I am like, I literally did this and I pointed to Perumal. And she wanted an explanation as to why it was to happen, and so she gave Mr Perumal an instruction that he must phone NasCom and tell NasCom that the ID instructed that he is not to respond to that 28 and that a letter was to be drafted by Mr Perumal to withdraw the 28 served on NasCom and she wanted Mr Perumal to advise her as to why it was necessary to 28 and interview the NasCom.

10 **MS SEGEELS-NCUBE**: Ja, this was not just 28 for him, for the General, for General Masemola to provide documentation. It was for him to appear before, who was the intended, who was going to be the interviewer? So he was supposed to appear before that person under subpoena to answer questions related to what?

MS RAMSAMY: So I think that is why Advocate Johnson stopped it, not because it was not, she would not want it to happen, she just did not understand how it was going to happen. 28 interviews are to be conducted with a
20 prosecutor present. I was the only prosecutor on the matter except for Advocate Johnson. Neither of us knew that the NasCom was subpoenaed to come to be interviewed. So who was going to do the interview and for what purpose, because at that point I did not even know what information they wanted to question NasCom on.

MS SEGEELS-NCUBE: And what was Mr Perumal's reaction to Advocate Johnson saying that it must be placed on hold until she is convinced?

MS RAMSAMY: He was very angry. He was extremely angry. In fact, after the meeting, he stormed out of the meeting. When Advocate Johnson, so he threw his pen down twice during that meeting. Once when I said that the statements, 90% of the statements are futile because they are so poor, and then the second time was when Advocate
10 Johnson said the 28 interview was not taking place. And after the meeting, he was spitting fire and he was saying that ID does not know what happens with these things. ID does not understand how these things work. I am going to explain it to her. Once I explain it to her, she will let it happen.

MS SEGEELS-NCUBE: Okay, if we go to 22, there is that reference in your notes to that as well where it says “call NasCom withdrawn interview”. Is that in relation to the same issue?

20 **MS RAMSAMY:** Correct.

MS SEGEELS-NCUBE: Okay. And was it done? Was the National Commissioner advised that he should not appear?

MS RAMSAMY: Correct. And a letter of withdrawal was sent, as well as the instruction of Advocate Johnson was to go and physically obtain the subpoena served. It was to be

brought to her. She was to scratch over it as cancelled or withdrawn, and it must be taken back to NasCom.

MS SEGEELS-NCUBE: Now, who would have signed that subpoena?

MS RAMSAMY: I have not seen the subpoena, but the only person that would have been able to sign such a subpoena is Advocate Johnson.

MS SEGEELS-NCUBE: But she did not know about it, as far as you were aware, because she said it must be
10 withdrawn in that meeting. So did you believe her that she did not know anything about it?

ADV KHUMALO SC: Is it a case of she did not know or she was not convinced that it is necessary?

MS RAMSAMY: I cannot answer that specific question. I can only tell you that the only person that could have signed it was her. So unless she was signing documents for Mr Perumal without reading it and without an explanation, she knew.

ADV KHUMALO SC: So if she says it must be withdrawn,
20 it means she must have known that it exists.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: So it was, who brought the topic up about that 28?

MS RAMSAMY: It was Brian that said that NasCom will be here at 1 o'clock.

MS SEGEELS-NCUBE: Yes, so she did not bring up the topic?

MS RAMSAMY: No.

MS SEGEELS-NCUBE: Did you get the sense that she did not know about the section 28, or she knew about it as Commissioner Khumalo was putting that she knew about it, but she now wanted to put it on hold until she was convinced it needed to be done?

MS RAMSAMY: I am trying to remember her reaction. So
10 she was typing while we were talking and then Brian said that, and she turned to me because I was sitting directly in front of her, and she asked me, why is NasCom coming here? And I said, I do not know. So in my memory, it seemed like she was genuinely shocked. So I would go with the fact that she signed a document that she did not read.

MS SEGEELS-NCUBE: Well, we do not know that she signed it. And if I recall correctly, when there was another section 28 summons that had been flighted at the Commission during Advocate Johnson's evidence where she
20 had not signed it, was signed by a DDPP. She indicated that they do have or she does give that delegation. Are you aware of that? Have you seen any section 28 signed by anyone other than Advocate Johnson?

MS RAMSAMY: Yes, if she was unavailable, at Manco, Exco, on leave, sick leave, et cetera, she would, if it is for

an extended period, we would get an e-mail saying that the ID powers are allocated to a specific Deputy Director. And in that period, only that Deputy Director could exercise the powers of the ID. If she was away for just the day or she was in a meeting and she could not attend to it, generally, very recently, it was a situation where I was told by Mr, so we were trying to get to consult with a witness who is in witness protection and those letters have to be signed by Advocate Johnson. And I had contacted Mr Bellochun to
10 say that, I am sorry, we cannot get the document signed because the ID is not here. And he said, no, no, no, I was told that Mr Manilall can sign.

MS SEGEELS-NCUBE: Okay. Then can we skip a few pages in your notes and we will go back to your statement later. Page 24 of file 11, I am interested in the entries after the line where you say “collect 28 cancelled”. Is that again a reference to General Masemola's cancelled 28?

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. And then you have got
20 Mokwili, and I am assuming at that stage you did not know, I am assuming it was for Mokwele.

MS RAMSAMY: Correct. And I reiterate, at that point I had no documents, so I did not even know the spelling of the Brigadier.

MS SEGEELS-NCUBE: So as at 16 April you did not know

about, you did not have the name, even the correct spelling of Brigadier Mokwele's name.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: You say he had no documents. But the 20 May, I am assuming, is a date that is targeted for arrests.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And the Lushaba is 7 May.

MS RAMSAMY: Correct.

10 **MS SEGEELS-NCUBE:** Was this said by Advocate Johnson?

MS RAMSAMY: Yes, these instructions were given to us by Advocate Johnson. So here it is, she reiterated that the, or she added to the cancellation of the 28, which I just explained where it had to go and get collected, brought to her, she would cancel it and then it had to get given back to NasCom. And then this is how the first two arrests and the dates, the projected dates. In fact, it was more of an instruction that this is going to happen on these dates.

20 **MS SEGEELS-NCUBE:** Then we can go back to your statement. You, we have now clarified at paragraph 25 that the date is the 16th.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: You have already said who was in attendance and that Mr Raphesu was no longer there.

Maybe you can go from, you will correct me if I, oh, you have dealt with that. I think you have dealt with that paragraph 26 is where we are at.

MS RAMSAMY: Thank you.

10 “I became aware that on 9 May 2025, a meeting was held in my absence with Advocate Johnson, Mr Sesoko, and Mr Sesoko, where the investigators, Mr Perumal and Padayachee, complained that they could no longer work with me. They cited my April 2025 affidavit regarding Mr Raphesu's victimization. But I suspect it is because I was not going along with the irregular investigation processes. I had no knowledge of the process of the investigation, notwithstanding my instructions to be kept informed. At one point, I received affidavits from witnesses

20 who had been referred to as section 204 witnesses. I had not been consulted on possible section 204 witnesses. I was also given the affidavits that were already commissioned. I had previously informed Advocate Johnson that I had not

perused the section 204 statement, to which she replied that it was discussed with her and she approved of the section 204. When I was told that the distrust related to my affidavit, I asked Mr Sesoko whether it was because I mentioned in my affidavit, one, Advocate Johnson had informed us in the meeting that she had met with Minister Mchunu, or perhaps the fact that I had mentioned General Gininda had been mentioned in our Project Diversion meeting, or perhaps that we were investigating Mr Nkabinde. Mr Sesoko responded that it was probably all of the above. It was also during this time that Advocate Johnson instructed us to effect arrests on Project Diversion every two weeks starting from the first week of May 2025. But for reasons that annoyed Advocate Johnson, this did not happen as she had planned.”

MS SEGEELS-NCUBE: Can you just tell us why it did not happen as planned? What was the issue?

MS RAMSAMY: I sent a WhatsApp to Advocate Johnson in a very polite manner, speaking on behalf of the whole team

after I was screamed at and belittled by the investigators, that the investigations were incomplete, that there were problems with the statements that needed to be sorted out, that there were contradictions between witnesses, severe contradictions between statements, where the subordinate is even contradicting the supervisor's affidavit. And furthermore, that I had only received all the documentation on the 11th of April. I was still going through everything. It was a lot, and I was not going to be ready.

10 **MS SEGEELS-NCUBE**: If we can go to your WhatsApp's with Advocate Johnson on page 258, bundle 10, file 10, 258 of file 10. I think we can start on 257, actually.

MS RAMSAMY: Okay.

MS SEGEELS-NCUBE: That is where, this is on the 24th of April 2025.

MS RAMSAMY: Thank you.

20 "Morning, Advocate Johnson. We just had a team meeting on the arrest for first leg. We will not be ready on projected date of 5 to 7 May."

ADV BALOYI SC: And first leg is what?

MS RAMSAMY: Lushaba ...[intervenes].

ADV BALOYI SC: It is the Lushaba take down.

MS RAMSAMY: Correct.

"We have two statements that will be

completed on Friday and the file I require for possible accused 2 will only be provided by NasCom on Friday. I will then need time to peruse, then finalize drafting. The docket still needs to be compiled. I am on leave next week, but I will collect the statements on Tuesday and continue working through it as so that it is not delayed. Dylan and Brian want a briefing for Mantsha on the statements he collected. I do not require same as I was updated and the report submitted. I am humbly requesting on behalf of the team an extension to 14 May for finalization of the investigations and drafts.”

MS SEGEELS-NCUBE: Then if we go to 258, her response?

MS RAMSAMY: -:

20 “It is fine. I will need a final briefing before takedown. Prepare prosecution memo also for DPP perusal. Noted, we will comply. Thank you.”

MS SEGEELS-NCUBE: Okay, so you had a basis on which you were saying that we are not going to be ready by 7

May.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: So can you just tell us, you have summarized here what it is. In your view, were you ever going to be ready?

MS RAMSAMY: No.

MS SEGEELS-NCUBE: And this is, is this only in reference to the Lushaba matter or the entire, so second leg as well?

10 **MS RAMSAMY:** Pretty much, the Lushaba matter, the two statements and the file from NasCom was required. With the Mokwele leg, oh boy, the evidence. You know, I think one of the reasons Brian fought with me and stuck his finger in my face was because I said that a nursery book reads better than those dockets. It was poor. There was no elements of any offence.

MS SEGEELS-NCUBE: This is the Mokwele ...[intervenes].

MS RAMSAMY: The Mokwele docket.

MS SEGEELS-NCUBE: But on the Lushaba matter, as I
20 understand it, you were of the view that there was a *prima facie* case, but the, whether it fell within IDAC's mandate ...[intervenes].

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Was the issue for you.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And Advocate Johnson had said that it does because it is not housebreaking, it is defeating ends of justice, et cetera.

MS RAMSAMY: Correct, ja.

MS SEGEELS-NCUBE: So when you are informing her here that you want an extension, you are asking for an extension to 14 May on the Lushaba matter.

MS RAMSAMY: Correct, for finalization of investigations.

MS SEGEELS-NCUBE: Did that mean that every other
10 arrest was going to then be delayed by two weeks? What was the ...[intervenes].

MS RAMSAMY: The entire project and the projected dates were going to be delayed.

MS SEGEELS-NCUBE: Then we can go back to your statement.

MS RAMSAMY: -:

“May 2025, Lushaba enrolment.
Sometime in May 2025, it might have
been the third week of May, I had to
20 enrol the Lushaba matter, but I
encountered issues with the affidavits
that had been filed and asked the
investigators to attend to the necessary.
I could only make an assessment on the
evidence based on what was contained in

the statements. The investigators obtained supplementary statements but this became an issue because the initial statement was so-called section 204 statements. As stated earlier, Advocate Johnson approved the section 204 processes without my input, and in circumstances where I had told her that I had not yet consulted with the section 204 witnesses in order to form a view. I could not understand how we would supplement a section 204 witness statement."

MS SEGEELS-NCUBE: Explain that to us. We do not understand what you mean by that.

MS RAMSAMY: A section 204 statement, as I explained earlier, is a statement by someone who is a person of interest, a suspect, who is providing vital information that we would not have been able to otherwise obtain. And I am saying, and I said it to Advocate Johnson, all the 204 statements that were taken in Project Diversion, the deponent does not even admit liability. So in order for you to get indemnity after testifying, you must be truthful, honest, and give a full account, including your own involvement.

But if you are saying that I was instructed and there is one statement where they do not even say that what they were instructed to do is wrong or irregular or against procedure or SOP's or anything. It is just I was instructed. So with this specific, with the Lushaba matter, they had given a witness 204 status where he is contradicting the statement of his supervisor in the docket. And to be very honest, I did not even understand why the vetting section of Crime Intelligence was involved in a situation of, it did
 10 assist to an extent, once I did read the vetting file with regards to the contradictions of how the process worked and the consultation with Mr Lushaba in the vetting versus what was said in the docket versus the friend's statement of going to get medical assistance, whereas Mr Lushaba told the vetting officer that he did not.

So there were inconsistencies in Mr Lushaba's account of events. But that specific 204 statement he basically said, oh, well, I did not see, or I did not really believe the guy, so I did not sign off on the file.

20 **CHAIRPERSON:** I understand why Ms Segeels-Ncube asked you to explain this, because it sounds like you are stating a general legal proposition whereas from your explanation, it seems that what you were saying was that in this instance, it was pointless to supplement.

MS RAMSAMY: Correct.

CHAIRPERSON: The statement. All right, thank you.

MS SEGEELS-NCUBE: Okay. Can we just then deal with Advocate Johnson's approach on the 204, which is page 241 of file 10, which is a WhatsApp exchange between you and Advocate Johnson. It starts with the issue of Mr Nkabinde, but at the bottom of your message at 1056 on the 20, I think it is the 24th of January already, 24th of January there is discussions about a 204.

MS RAMSAMY: Correct.

10 **MS SEGEELS-NCUBE:** This was one of your issues, your concerns.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: 241, the last paragraph in your 10:56 message.

MS RAMSAMY: Yes.

MS SEGEELS-NCUBE: You can read from there.

MS RAMSAMY: -:

20 “The witness for vetting, the team asked
me to discuss 204 status with you, but I
have not perused statement as yet.”

Advocate Johnson replies:

“Chief discussed with me while he was
here. I agreed to a 204.”

MS SEGEELS-NCUBE: And then you say thank you.

MS RAMSAMY: If the decision was made, nothing I was

going to say was going to change it. Even in the later WhatsApp's where I say to her, I am going to consult with the witness on the Lushaba matter so we do not have the same problem we have in the vetting.

MS SEGEELS-NCUBE: And what did she say to that?

MS RAMSAMY: If I can remember, it was okay.

MS SEGEELS-NCUBE: Okay, so your concern about the 204 started very early on.

MS RAMSAMY: Yes, and it was addressed by myself and
10 then in the fights that I spoke about with Mr Raphesu, Mr Padayachee, and Mr Perumal, we are on a 28(13). we are determining the veracity of accusations. How is a witness being given what could essentially be indemnity at that early stage? And correctly so, you are going to get evidence that is going to taint your investigation because you are going to lead in the direction of someone who is a suspect.

ADV BALOYI SC: Can I just ask a different question about this. In the normal course, at which point do you get to now
20 it is time to get a section 204 from this particular witness? This is in the normal course of your investigation, eventually prosecution. That is my first question. The second question is, where does the authority lie to make the decision that we will make this witness to be a, because I can imagine that there are witnesses that should be

prosecuted, even if they were going to tell on themselves. You say this is too serious. I hope you do that, to say this is too serious to let them get away with, you know, as a 204 witness. So it is really two questions, is in the normal course of your work culminating in a prosecution, where does a 204 lie, decision, as in we are in the process, but two, who actually makes that decision?

MS RAMSAMY: With regards to where it lies, as a prosecutor and also from investigations that we have
10 already done, I have not been working with this team on other matters, a 204 will only be approached once the investigation has reached such an advanced stage and all avenues have been pursued to obtain that evidence and we cannot. We then have to make a judgment call on do we need that evidence more than we need to prosecute that person, and that is the line of thinking of when you decide.

ADV BALOYI SC: And is it a case of you have now hit the point where if we do not turn this witness into a 204 witness, we will never get this information?

20 **MS RAMSAMY:** That is where, as far as myself and most of the prosecutors within IDAC, it is the only time that we would actually consider it.

ADV BALOYI SC: Okay.

MS RAMSAMY: With regards to the authorization, when I was dealing with the Zondo Commission matters, we had a

docket that emanated from 2018. We were actually in the process of doing a presentation to allow us to enrol. When DBC and I realized that we, there was one aspect where we have tried, we had reconsulted with witnesses, we had, the captain had gone and tried to obtain possible documentary. We were at a block and we really needed that evidence because it spoke to the chain of command with regards to how the money flowed.

And when I approached Advocate Johnson about
10 that, we had to do a full prosecutorial memo with the investigators' input. It had to go to the Deputy Director. The Deputy Director had to recommend, and then it went to Advocate Johnson for approval. So there is also a paper trail and multiple people approving.

ADV BALOYI SC: And in this case, was there a paper trail? I mean, you do tell us in summary that she said, well, I have spoken, well, we see it in the WhatsApp messages. Perumal has spoken to me and I agree. Was there ever a paper trail about this?

20 **MS RAMSAMY:** Except for the WhatsApp's, no, because I would have had to read the statement. I would have to make a judgment call on the evidence. But in January, where I do not have any other evidence, how am I going to make a judgment call on a 204? Common sense is not being applied here because you are being, and I am

repeating, you are being guided by someone who has already ...[incomplete].

ADV BALOYI SC: So you do not know what Chief Perumal would have said to Ms Johnson about this 204, if he said anything at all. And you do not know what she would have taken into account because there is no record. There is no paper trail.

MS RAMSAMY: There is no paper trail.

ADV BALOYI SC: Thank you.

10 **CHAIRPERSON:** Are you not putting it too restrictively, though, when you say you would resort to a 204 witness only if you would not get the information otherwise. I am thinking, for example, of the fact that the test for proving a case in criminal matters is beyond reasonable doubt. You may actually have the information but what about, for example, if all you have is a single witness, the single witness does have the information, but you are not sure that single witness is going to be a good witness. And you are in a position to get a 204 witness just to make sure that you
20 go, you do skip that line of proof beyond a reasonable doubt.

I would imagine, I think it should be a common sense approach rather than as restrictive as you put it, I would think. I am not a criminal lawyer and my practice, even when I was in practice, was not a criminal practice.

MS RAMSAMY: Chair, you are explaining it exactly how I put it. It is just that I sounded a little bit more restricted or restrictive. If there was a single witness and no corroborating evidence ...[intervenes].

CHAIRPERSON: Yes, yes.

MS RAMSAMY: Even if it was circumstantial corroborating, yes, then you would. But if it is a single witness and the corroboration, you have already hit your wall of evidence, so you would have to consider it.

10 **CHAIRPERSON:** Yes, all right, all right. Thank you.
Thank you.

ADV KHUMALO SC: I want to ask about IDAC's investigative processes, because I see that it is May, you are already discussing takedowns, which I understand to be getting warrants of arrest.

MS RAMSAMY: Correct.

ADV KHUMALO SC: I have noticed that in all the matters we have discussed, although you have the section 28 process available, you actually do not have statements from
20 the suspects. And you said yourself that you thought one case was not very strong, the other one, you know, there was a *prima facie* case of criminal conduct. But some of the questions you still had, I would have thought that if you interviewed the suspects, if you summoned them and you said to them, how did it happen that you were given this

position without the vetting process being done?

Who actually did the vetting process? Under what circumstances? Then you would evaluate all of that and determine whether there is reason to arrest, charge, and prosecute. But in all these cases, it looks like there was a rush to arrest people and prosecute them when you did not have the full facts.

MS RAMSAMY: Correct.

ADV KHUMALO SC: So why is that? I am trying to
10 understand why in the process the mechanism available to
bring people in to ask them questions so that you clarify
issues, why that was not used?

MS RAMSAMY: Chair, I mean, Commissioner Khumalo, even without the processes of 28, a district court prosecutor who has a docket of that nature would ask the investigating officer to file a warning statement. It was not done.

ADV KHUMALO SC: Because I am assuming that even the
prosecutor before they, because we learned that in one of
the cases there was a prosecution memo, it was sent to the
20 prosecutor, the NPA prosecutor, and the NPA prosecutor
said, I agree with your decision to prosecute.

I would assume that in such a case, that prosecutor would consider, let us say, Mr Padayachee's affidavit, would look at, but what does the suspect say happened, and would weigh the two and say, I am satisfied that there is a *prima*

facie case or something along those lines.

MS RAMSAMY: Is Commissioner talking about the in consultation or that is signed by the ...[intervenes].

ADV KHUMALO SC: Ja. But let us not use that specifically.

MS RAMSAMY: Okay.

ADV KHUMALO SC: In general terms, before you proceed to take down, I would have expected that at least you get those statements to inform your view whether to prosecute
10 or not to prosecute.

MS RAMSAMY: Commissioner, I am going to go back to my first statement. If Advocate can just help, I am looking for the part where I speak about the orchestrated attack.

MS SEGEELS-NCUBE: The orchestrated attack. Now you are putting me on the spot.

MS RAMSAMY: I apologize. Okay, I will paraphrase it, Commissioner Khumalo. I started on last week Thursday by saying that the evidence I am going to provide to the Commission will demonstrate that there was an orchestrated
20 attack and plan to arrest people. So, and I said it earlier, and I said it again now, common sense does not prevail. Regulations do not prevail when manipulation is happening.

MS SEGEELS-NCUBE: It is page 21, paragraph 50.

MS RAMSAMY: Thank you.

MS SEGEELS-NCUBE: I am indebted to Ms Pooe for that.

MS RAMSAMY: Thank you, Advocate.

MS SEGEELS-NCUBE: I think you can go from “before I deal with the events”, almost towards the end of paragraph 50 on page 21.

ADV BALOYI SC: It is fourth line from the bottom.

MS RAMSAMY: Thank you.

10 “Before I deal with the events that transpired from the 6th of December 2024, I want to make it clear that Advocate Johnson and Mr Perumal launched an orchestrated attack on General Masemola and Lieutenant General Khumalo using IDAC's powerful investigation tools.”

So common sense did not prevail when the plan and the evidence was being manipulated.

ADV KHUMALO SC: So they could have, but they chose not to because their plan was to ...[intervenes].

MS RAMSAMY: Correct.

20 **ADV BALOYI SC:** Did Ms Johnson say why the urgency? I accept that if indeed this was an orchestrated scheme, it is understandable that not as in approved, but understandable that things would not proceed in the normal course to follow the rules, to follow common sense. This is why we only act once we have gathered everything. You do a 204 only at a

certain point when you have gathered everything. So that would not apply because we have a scheme that in fact we are executing. It is not about legitimate investigation and prosecution of wrongdoing. There is no legitimacy to it. Does she explain even in that scenario why we must do it every two weeks and why we start in May. What was pushing her? Did she ever say anything?

MS RAMSAMY: There was no explanation provided and as Advocate Serunye explained yesterday, some questions you
10 just do not ask.

ADV BALOYI SC: We have had a witness unrelated to you who said something and said it was corridor talk. I am going to ask you the same kind of question. What were you hearing is the reason things were happening and I am more interested in why are we in May getting people arrested and we have to do it every two weeks.

MS RAMSAMY: I think Commissioner is a bit ahead of us because from the 16th of May, or the 13th of May, Commissioner will understand exactly what was happening.

20 **ADV BALOYI SC:** I am happy by all means to leave it for you to tell it in your way when we are ready.

MS SEGEELS-NCUBE: Thank you. Page - Chair, sorry, I do see that it is 4 o'clock. I have got, we are not going to finish Ms Ramsamy's evidence today because in part there are documents that she needs to retrieve, one very

important one which she is not sure whether it is still accessible to her, but other documents as well that we have to obtain that speaks to the second part of her statement more prominently than what she is already provided to us. But I do want to finish the topic that we are currently on until page 16, which I think, barring intervention from the bench, we should be able to complete.

CHAIRPERSON: And barring you going to a whole lot of annexures.

10 **MS SEGEELS-NCUBE:** The witness, Chair. We should be able to finish that within 1/2 an hour. It relates to documents that the Commissioners are already familiar with, but she produces counter documents to that, that has been produced. And then we will leave the next big topic for Ms Ramsamy to return and deal with that once she has collated the documents.

MS RAMSAMY: If I find them.

MS SEGEELS-NCUBE: Yes, thank you. Thank you, Chair. Okay, so can we then deal with May 2025 and you have got
20 subtopics there. The first is the Lushaba enrolment.

MS RAMSAMY: -:

“Sometime in May 2025, it might have been the third week of May, I had to enrol Lushaba matter, but I encountered issues with the affidavits that had been

filed and asked the investigators to attend to the necessary. I could only make assessments on the evidence based on what was contained in the statements. The investigators obtained supplementary statements, but this became an issue because this initial statement was so-called 204.”

I have read this into this record already. Must I
10 continue?

MS SEGEELS-NCUBE: 29, sorry.

MS RAMSAMY: 29. Thank you.

“On or about the 16th of May, I informed Advocate Johnson during a meeting that I had serious concerns about the evidence because the team was not following the prosecutor-guided method. Advocate Johnson told me that I should make a verbal presentation to address the
20 issues, but in effect, the sense I got was that she was not going to side with me over Mr Perumal. In June 2025, I was instructed by Advocate Johnson to prepare a 28(1) for all Crime Intelligence matters as an umbrella application. I will

deal with this in detail later.”

MS SEGEELS-NCUBE: Can I just correct you, it is not June 2025. I think you said it was 27 May. Was it not that ...[intervenes].

MS RAMSAMY: Correct ...[indistinct] [intervenes].

MS SEGEELS-NCUBE: [Indistinct]... [cross-talking] prepared in June.

MS RAMSAMY: Yes, I prepared, you are correct. Sorry about that, Advocate.

10 **MS SEGEELS-NCUBE**: Next paragraph and then we will go to those documents. Page 15, the Mokwele matter, section 28(13) authorization. I think that should be section 28(1) authorization.

MS RAMSAMY: -:

20 “I will deviate slightly from my timeline in dealing with the events of May 2025. It is better that I deal with the events thematically instead of chronologically. When Advocate Johnson testified before the Commission, she produced a section 28(1) authorization signed and dated 30 May 2025. In the Mokwele matter, as well as a 28(1) application purportedly from me to her dated 30 May 2025.”

MS SEGEELS-NCUBE: I just want to go to that. So if you

go to file 8, page 3288.

MS RAMSAMY: I am there.

MS SEGEELS-NCUBE: Okay. This is the document that you are referring to in your statement at paragraph 31, which was the document that Advocate Johnson testified to as being the application that was prepared by you dated 30 May 2025. Is that the one?

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And if we go to the last page of
10 that document, you will see on page 3298, there is a date 30 May 2025 and just above that on page 3297, Advocate Johnson's signature.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Now you want to just go back to the first page of the application itself which is addressed by you. You want to speak about that document, that 3288. You can continue in your statement.

MS RAMSAMY: Okay.

MS SEGEELS-NCUBE: Just before you do that, it says
20 that it is from Advocate D Ramsamy, title, State Advocate, 30 May 2025 to Advocate Johnson.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Yes.

MS RAMSAMY: -:

“Advocate Johnson testified before this

Commission. She produced a section 28(1) authorization signed and dated 30 May 2025 in the Mokwele matter, as well as a section 28(1) application purported from me to her dated 30 May 2025. I did not prepare this application and the authorization could not have been signed and approved by Advocate Johnson on the 30th of May 2025 as these documents suggest. I say so for the following reasons. During the meeting ...”
[intervenes].

MS SEGEELS-NCUBE: Sorry, before you say that, so what you are saying is that the document that Advocate Johnson produced to, that she indicated was the authorization for the 28(1) investigation into the Mokwele matter, and that was preceded by an application drafted by you, sent to her, in order for her to authorize the investigation on 30 May 2025, you say you did not prepare that document.

20 **MS RAMSAMY**: Correct.

MS SEGEELS-NCUBE: Okay. And you say that not only did you not prepare, but that authorization could not have been, that investigation could not have been authorized by Advocate Johnson on the 30th of May 2025.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Okay. And then you tell us why you say so at 32.

MS RAMSAMY: -:

“During the meeting on the 27th of May 2025 ...”
[intervenes]. [Witness emotional]

MS SEGEELS-NCUBE: Take your time.

MS RAMSAMY: -:

“Advocate Johnson instructed me to
prepare one umbrella section 28(1) for all
10 Crime Intelligence matters.”

May I please have a moment.

CHAIRPERSON: Let us adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

MS RAMSAMY: I apologize.

CHAIRPERSON: No need at all.

MS SEGEELS-NCUBE: Thank you Chair. Shall we then
continue at paragraph 32.

MS RAMSAMY: -:

20 “During a meeting on the 27th of May
2025, Advocate Johnson instructed me to
prepare one umbrella section 28(1) for all
Crime Intelligence matters instead of
individual section 28(1) authorizations for
different legs of Project Diversion. I only

sent the draft application to the Project Manager, Mr Tlale, on the 3rd of June 2025. I had a family emergency to attend to and asked Mr Tlale to finalize the application. The Commission will note that the version I sent to Mr Tlale on the 3rd of June 2025 was incomplete and was basically an oertype of the section 28(13) that I had prepared in December 2024. I added the names of Mr Pitout and Mr Hudson to the section 28(1) because at that stage they were also identified as persons of interest in Project Diversion by the investigators.”

MS SEGEELS-NCUBE: Can we then go to file 10, page 368. So that is the email that you sent to Mr Tlale who is the Project Manager. The title is “section 28(1)” and you sent it on the 3rd of June 2025, 7:42 in the morning.

MS RAMSAMY: Correct.

20 **MS SEGEELS-NCUBE**: And can you just read what you say to him?

MS RAMSAMY: -:

“Good morning. Please work your magic and send me the consultation note and the PP memo so that I can send to the

ID. You are appreciated.”

I am a terrible formatter of documents so I send it to the Project Manager to format for me before I submit my documents to the ID.

MS SEGEELS-NCUBE: And then you have, you can see the attachment, it says “IDAC new matter” on that page and then from 369 is the version that you sent to Advocate Johnson on the 3rd of June dated 2 June 2025.

MS RAMSAMY: Correct.

10 **MS SEGEELS-NCUBE**: And you say this is what you sent and it was an umbrella 28(1).

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And what did she mean by umbrella 28(1)?

MS RAMSAMY: Meaning that it must be for all of the legs identified in Diversion with the names that she had given me and the two that I added because they were linked. So actually it was three. If Commissioners will look at 3.5, 3.6, and 3.7, Commissioners will also see that my formatting is
20 as I said. Captain Mogashwa, Captain Hudson and Colonel Pitout.

MS SEGEELS-NCUBE: You are ahead of us. Page 371.

MS RAMSAMY: 371, my apologies. We will note that those were the names that were added but the remainder of the names stayed as the 28(13).

MS SEGEELS-NCUBE: And if we go to page ...[intervenes].

ADV BALOYI SC: Sorry, can I just understand. That list that you are referring to, that is paragraph 3.

MS RAMSAMY: Correct.

ADV BALOYI SC: You have much more than just the three that you have mentioned, Pitout and, Pitout, Hudson, Mogashwa. You have other people as well, Moyana, Sebola, Van Vuuren, Madileng, Mokwele, Duvhalo.

10 **MS RAMSAMY:** Because it was an umbrella as Advocate Johnson had said that it needed to include all the names that were on the 28(13), the only three names that were added from the 28(13) were the three that I just mentioned.

ADV BALOYI SC: I see. I see. Thank you.

MS SEGEELS-NCUBE: Thank you. And then if we go to page 273, I mean 373, 372 actually, under recommendation. Your draft is still referring to it is recommended that an investigation in terms of section 28(13) of the NPA, so you, as you say, you were really just overtyping on your 28(13)
20 that you did in December.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And you had a family emergency, so you sent it to Mr Tlali, he must ...[intervenes].

MS RAMSAMY: If I can just explain. I was literally copying and pasting onto a new document just to change

the heading and the date and I was doing it in the car with the laptop on my lap. So the purported 30 May, there is a paper trail of when I sent the, an electronic trail of when I actually sent. It could not have been signed on the 30th of May. And if the Commissioners look at page 369, it includes from Advocate Santos Manilall, Acting Deputy Director. The one Advocate Johnson provided to the Commission does not even have that. It just says State Advocate.

10 **ADV BALOYI SC:** So are you saying the one she provided to us is a fabrication?

MS RAMSAMY: Yes.

MS SEGEELS-NCUBE: Can I ...[intervenes].

CHAIRPERSON: Do you know anything about Advocate Johnson's laptop being lost in Namibia, or getting lost in Namibia?

MS RAMSAMY: Yes, at, when she attended ...[intervenes].

CHAIRPERSON: When was that?

MS RAMSAMY: It would have been in January. It was
20 when, it was just as we got back from the consultation with Mr Fadiel, Advocate Johnson went to the FATF conference. I think it was in Windhoek. And I was later informed that Advocate Johnson's laptop was stolen at the airport.

CHAIRPERSON: So early 2025?

MS RAMSAMY: Correct.

CHAIRPERSON: Definitely not in, before May 2025 ...[indistinct].

MS RAMSAMY: The FATF conference took place in January 2025.

CHAIRPERSON: All right, all right. Thank you.

MS SEGEELS-NCUBE: Thank you. So, and then can we go to 374 of file 10. Are you there?

MS RAMSAMY: Yes.

MS SEGEELS-NCUBE: And this is a WhatsApp from
10 Advocate Johnson, or it is actually a WhatsApp on the 3rd of June 2025 from you to Advocate Johnson. And your WhatsApp on the 3rd of June 2025, so that is the same day that you emailed the document to Mr Tlale in the morning.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: You then, on the 3rd of June 2025, sent a WhatsApp to Advocate Johnson. Can you read it and tell us why you were greeting her like that?

MS RAMSAMY: So on the 27th of May 2025, Advocate Johnson indicated that she was going to leave for Germany.
20 She was attending a conference. However, I was instructed that even though she was in Germany, when my drafting was done, I was to email it to her so that she can authorize it. So when I say "Guten Tag", it is because she is in Germany.

MS SEGEELS-NCUBE: Please read.

MS RAMSAMY: -:

“Guten Tag, Advocate Johnson. Trust your trip is going well. I have emailed you all the requisite documents. The last supplementary was filed on Sunday. Team has perused and provided input, and the Project Manager has formatted. I await your guidance, corrections, and instructions.”

10 She replies:

“Hi, we are now in afternoon session. We finish at 6 p.m. Will try and finish and send tonight still.”

I say:

“Thank you.”

Praying hands. At 16:03, Advocate Johnson sends me a WhatsApp:

“Check your email.”

I reply:

20 “Doing so now. Thank you, Advocate Johnson.”

This is now 16.23.

“Thank you, Advocate Johnson. Have a blessed evening.”

She replies:

“Thanks.”

MS SEGEELS-NCUBE: And when she replies to that, that she sent it, check your emails, it is because she is sending the documents back to you, but not the 28(1), right.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And if we can then go to, we just have to see if that document is in the bundle, because it is some of the documentation that still needed to be included, those email exchanges. If you will just bear with me on the,
10 if you can go to page 332, 331 my apologies.

MS RAMSAMY: File 10.

MS SEGEELS-NCUBE: On file 10, yes. This is now a response to a different email from Advocate Johnson, but still on the 3rd of June 2025, because you send the documents to her. Mr Tlale sends the documents back to you. If we go to page 332, at the bottom of page 332 you will see 3 June 2025. It is from Mr Tlale to you. The subject is “Docs”. He says:

20 “Hi DR, sorry for the delay. If I had just done it once last night. Kind regards.”

Now, he is referring to documents that you sent him on the 2nd as well.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: You sent him documents relating to the Lushaba matter as well.

MS RAMSAMY: The charge sheet, the in consultation note and the prosecutor memo, correct.

MS SEGEELS-NCUBE: Yes. And on the 3rd you are sending the 28(1). And he then sends everything back to you in this document called “Docs”, this email called “Docs”. And you then forward the email on the top above that email from him at 332, can you then read that, because then it follows on your WhatsApp to Advocate Johnson.

MS RAMSAMY: 332 or ...[intervenes].

10 **MS SEGEELS-NCUBE:** 332 at the, just above Mr Tlale's email.

MS RAMSAMY: -:

“Afternoon Advocate Johnson, trust you are well. Please find attached for your correction and guidance. Thank you.”

MS SEGEELS-NCUBE: Okay. So when you send that email that is where you have attached the 28 and all the documents that Mr Tlale formatted for you.

MS RAMSAMY: Correct ...[indistinct].

20 **MS SEGEELS-NCUBE:** And then if we go to 331, the middle of 331, that is where Advocate Johnson responds to you on the 3rd of June, 15:55, and she has copied Annemarie and Mr Perumal.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And what does she, can you read

what does she say?

MS RAMSAMY: Subject docs.

“Dru, I have perused and corrected all these documents. Annemarie is acting and I changed the documents to her name. Brian in his statement under paragraph 3 ...” [intervenes].

MS SEGEELS-NCUBE: Paragraph 5.

MS RAMSAMY: Paragraph 5. With regards to this, it was
10 Advocate Johnson checking, confirming the correctness of
Brian Padayachee’s J50 affidavit for application.

“In his statement under paragraph 5, list the offenses, please. Annemarie, can you please sign the in-consultation memo? I have perused it properly and made the necessary alterations, but do not want to sign while you are acting. We want to do this, we want this to go to Marika during the course of tomorrow,
20 please. Once signed, Dru will collect and take by hand. I will ask that you call Marika to give her a heads up. We want to arrest on Friday at the latest. Dru, I will correct the section 28 and I will sign that as I usually do even if there is an

acting.”

MS SEGEELS-NCUBE: So she is saying we want to arrest on Friday at the latest and then she is saying, Dru, I will correct the section 28, which means that on the 3rd of June 2025, there was still not a signed section 28(1) application or authorization.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: And Advocate Johnson was still in Germany at the time.

10 **MS RAMSAMY**: Correct. She returned the following week.

ADV KHUMALO SC: Is it correct though that there was not a section 28(1) for authorization? We took this up with Advocate Johnson and then she said there was the December one, which was still, you know, operational and this one was being done for a different purpose.

MS SEGEELS-NCUBE: No, the December one is a 28(13). This is a 28(1), which is needed for the arrests.

ADV KHUMALO SC: For the arrests.

20 **MS SEGEELS-NCUBE**: 28(13), yes. So there was no, as far as you were concerned, there was no 28(1) in respect of any of the Crime Intelligence matters as at 30 May 2025.

MS RAMSAMY: Correct, because I was instructed to do it on the 27th of May and I only emailed it on the 3rd of June.

ADV KHUMALO SC: So this one is for the arrests and then the one that you prepared on the 5th of December, which

was signed on the 6th, what was that one for?

MS RAMSAMY: That is to allow IDAC investigators to do a preliminary investigation.

ADV KHUMALO SC: So that is for the preliminary investigation and then this one is for the arrests.

MS RAMSAMY: Correct.

ADV KHUMALO SC: So without this one, they could not effect the arrests. That is why it was important.

MS RAMSAMY: Correct.

10 **MS SEGEELS-NCUBE:** I think just to clarify, it is for an investigation. The 28(1) is for an investigation, but you cannot go to the arrest and enrolment process if you have not done a 28(1) investigation.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: Yes. So Advocate Johnson needed authorisation for the 28(1) investigation in order for there to be an enrolment and warrants of arrest issued.

MS RAMSAMY: Correct.

20 **MS SEGEELS-NCUBE:** Because you cannot jump from 28(13) to enrolment and arrest.

MS RAMSAMY: Correct.

ADV KHUMALO SC: So the summonses that were issued in February, remember there were summonses to BMW and various other people.

MS RAMSAMY: Yes.

ADV KHUMALO SC: That was done in terms of 28(13)?

MS RAMSAMY: Correct.

ADV KHUMALO SC: Okay.

MS RAMSAMY: Or they should have been done in terms of 28(13).

ADV KHUMALO SC: Sorry, say that again?

MS RAMSAMY: They should have been done in terms of 28(13) because there was not a 28(1) authorised.

ADV KHUMALO SC: Ja. Now if she wanted the arrests to
10 happen on the 7th of May, how could that have happened if there was no 28(1)?

MS RAMSAMY: It would have followed that, had I said that we were ready to arrest Mr Lushaba on, by, say, the 5th of May.

ADV KHUMALO SC: Ja.

MS RAMSAMY: Exactly how I did it now, I would have submitted a 28(1) with all my accompanying documents for enrolment.

ADV KHUMALO SC: All right, thank you.

20 **ADV BALOYI SC:** So what she, it looks like what she was doing, and correct me if I am wrong, with this 28(1) now, which is to authorise an investigation, we are at the 3rd of June, and you are going to effect arrests on the 7th, it was really to trick the system, appearances of we already had an investigation authorised on the 3rd, earlier, and now we

are arresting when in fact in the intervening period between the 3rd of June, if that is when she authorises and the 7th, there really would not have been an investigation because you have already done the investigations without the authorisation. Am I correct in that construction?

MS RAMSAMY: If I can go back to the 27 referral I did in 2023.

ADV BALOYI SC: 2023.

MS RAMSAMY: Thank you. In order, after the
10 investigation was at a level where we knew that there was sufficient evidence to proceed, myself and the Deputy Director on the matter did an application setting out all the evidence to apply for the 28(1) and then all the other processes, the finalisations of the affidavits and enrolment happened.

ADV BALOYI SC: Here you would not have had that because you have already done your investigation before there was authorisation.

MS RAMSAMY: The 28(1) should have been done a lot
20 earlier if, yes.

ADV BALOYI SC: Ja. So it was being done at this stage considering that a date for arrest has already been decided and it is just going to be in a few days' time. It was just for appearances of compliance, really.

MS RAMSAMY: Correct.

ADV BALOYI SC: Thank you.

CHAIRPERSON: Regarding the document of the 30th of May, is it? Yes, because yours is the 3rd of June, the one of the 30th of May, subject to what Ms Johnson, Advocate Johnson will say, because we said we will give her an opportunity to respond, subject to what she says, it looks like what she did, if in fact she did this, constitutes forgery and uttering actually.

MS RAMSAMY: Yes, and I cannot understand why she
10 would do it in my name.

CHAIRPERSON: Thank you.

MS SEGEELS-NCUBE: Thank you. Can we then just go back to your statement. At paragraph 53, you dealt with the trailing emails, the document provides, so maybe just start 53 from scratch.

MS RAMSAMY: -:

20 “It is clear from the trailing emails that follow thereafter, including emails from Advocate Johnson, that they could not have been assigned section 28(1) authorization on the 30th of May 2025. The document provided to the Commission is a complete fabrication. The only other people who could have sent Advocate Johnson an application for

section 28(1) authorization for Project
Diversion are Mr Tlale and Advocate
Hlatshwayo.”

And I doubt that they did, but they would be best
placed to advise the Commission. I certainly did not
prepare an application for section 28(1) authorization on the
30th of May 2025.

ADV BALOYI SC: That possibility of Ms Hlatshwayo and
Mr Tlale sending it, it does not arise here, because she
10 relies on what is in your name, so for that authorization.

MS RAMSAMY: Correct.

ADV BALOYI SC: Okay.

MS SEGEELS-NCUBE: And then, the next paragraph is, I
think we had explored with you why you think Advocate
Johnson would have, it is not even backdated because it is
not the document that you had sent her at all.

MS RAMSAMY: Correct.

MS SEGEELS-NCUBE: But why that document would have
been produced and dated the 30th of May 2025. And, in the
20 course of that discussion, we had made you aware of an
affidavit by Lieutenant Colonel Khumalo, about the devices
of Mr Matlala, which had been demanded by IDAC, and the
date on which that was demanded, and we are going to
flight it on the, and if you could just read into the record
paragraph 34.

MS RAMSAMY: -:

“What I am aware of now, as informed by the Evidence Leaders, is that Lieutenant Colonel Ntate Khumalo testified that on the 30th of May 2025, at around 11:30 a.m., Mr Perumal called him, and when he returned his call, Mr Perumal requested the cellular phones of Mr Vusimuzi Matlala for downloading. I have been shown this affidavit by the Evidence Leaders in preparation of this statement. According to Lieutenant Colonel Khumalo's affidavit, Mr Bellochun produced an approved search and seizure warrant. I do not know if the purported 28(1) authorization of 30 May 2025 and the request for Mr Matlala's devices on the same day are connected. What I do know is that a 28(1) in respect of the Medicare24 matter was authorized on the 16th of May 2025, and this could be used to obtain the downloads for Matlala's devices on the 30th of May 2025. But as I deal with later, I suspect that Advocate Johnson and Mr Perumal

knew that the Medicare24 investigation was unlawful from inception. They may not have wanted to rely on that authorization to obtain Mr Matlala's devices because of the unlawfulness. I deal with this later."

MS SEGEELS-NCUBE: I will just display that affidavit by Lieutenant Colonel Khumalo where he says that on the 30th of May, Mr Perumal contacted him regarding obtaining the
10 devices, and then he says in another paragraph that Mr Bellochun showed them the approved, I do not know what the relevance is of the approved search and seizure warrant to accused address. And you deal with it later, and your advice at some point or your observations that you made to the team at the time on the Matlala matter or the Medicare24 matter seems to have been what they actually followed because what they were going to do in order to get those devices from SAPS, you said to them, you cannot do it that way. And it seems that the way that you had
20 suggested to them was the way that they followed.

MS RAMSAMY: Correct, because I had distanced myself from this matter. It was only when I saw this that I realized that the advice that I had given them with regards to how search warrants of this nature are supposed to be done was followed, because prior to that they actually just wanted to

go and seize the devices, the actual devices, which breaks chain of custody.

MS SEGEELS-NCUBE: And that you only found out that they followed your suggestion when you saw the affidavit of Lieutenant Colonel Khumalo, and what he describes is what you had suggested to them at the time.

MS RAMSAMY: Correct. Confirmed.

MS SEGEELS-NCUBE: Okay, thank you. Is there anything else you want to say on this topic of the 28(1) before I ask
10 the Chair if we can adjourn for now?

MS RAMSAMY: I want an age analysis, an ink age analysis of that 28(1) signature.

MS SEGEELS-NCUBE: On Advocate Johnson's 30 May ...[intervenes].

MS RAMSAMY: Johnson's, because really, this, not only is Advocate Johnson deceiving the Commission, she is throwing a junior under the bus. What kind of leadership is that? Is that really leadership? And now I am speaking from emotion.

20 **MS SEGEELS-NCUBE**: Thank you. Thank you, Ms Ramsamy.

CHAIRPERSON: I am not an expert in the field, but I doubt that a three-day difference would be of assistance.

MS SEGEELS-NCUBE: Well, Chair, you assume that it is a three-day difference.

MS RAMSAMY: No, actually, Chair, we have done one where we could determine that it was a ...[intervenes].

CHAIRPERSON: I hear you. I hear you.

MS SEGEELS-NCUBE: Thank you, Chair. That is the evidence of Ms Ramsamy for now. We will adjourn to a date to be advised, Chair.

CHAIRPERSON: Okay. We are not done with your testimony, so it is being postponed to a date to be determined. But we do have a witness tomorrow, so we
10 adjourn until 9:30 tomorrow morning.

MS SEGEELS-NCUBE: Thank you, Chair.

CHAIRPERSON: Let us adjourn.

INQUIRY POSTPONED TO 6 AUGUST 2026

INQUIRY ADJOURNS
